

TOWARDS SWARAJ

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Class No.....

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TOWARDS SWARAJ

BEING THE EXPOSITION OF A
SCHEME OF RESPONSIBLE
GOVERNMENT

BY

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MADRAS:

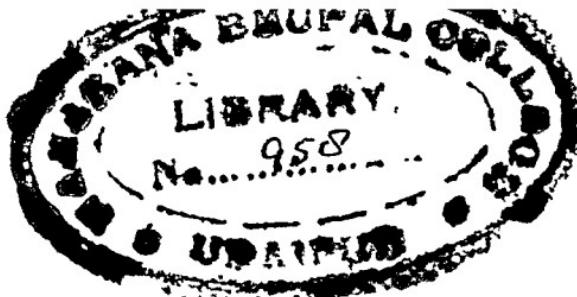
M. K. SRINIVASA IYENGAR,
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1928,

Self-government is the highest and noblest principle of politics
the safest foundation on which the State can rest.—

The first Marquess of Ripon.

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PREFATORY NOTE.

Since handing over the copy to the printers, I have gone through the Report of the All Parties Conference. The chief merit of the Report of the Committee charged with the duty of determining the principles of the constitution for India, subsequently ratified at Lucknow, lies in the support it has secured of as large a volume of public opinion as possible under present conditions. In its negative side it is a warning that any novel or original proposal that might be generated by the Simon seven, with or without the help of complaisant Indian Committees, Central or Provincial, will provoke a 'storm' of opposition the like of which has not been experienced before. It is not therefore in a spirit of challenge to the arguments advanced and conclusions arrived at in the eight-seven articles of the Report that this book is issued, but in a spirit of earnest enquiry that, when the Conference revises its scheme, it may take note of certain factors underlying the immediate realisation of full responsible government which the distinguished authors of the Report seek to

secure and on which emphasis has to be laid. On the question of the types of government, federal or unitary, franchise, adult suffrage, the constitution of the second chamber, the division of functions between the State and the Commonwealth organisations that are to be set up, and even the redistribution of the provinces on a linguistic, sectarian or religious basis, much will have to be said which may run counter to the cherished principles of the Committee of the Conference. In these pages certain aspects of these problems are developed which may deserve the earnest consideration of the critical public, to whom this book is humbly dedicated.

*Trichinopoly,
15th November 1928.* }

S. K. SARMA.

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a century and against which Indian nationalism had waged a bitter though bloodless war.

The announcement made by Secretary Montagu seems to be the result of concerted action on the part of all the political factions that enrich the party system of the United Kingdom and, if recent reports are true, appears to have originated with a conservative statesman of eminence and blessed by the wise heads of the India Office. If so, it could be stated to be the minimum which British statesmen thought of yielding at that time to the growing and defiant aspirations of new India. They could not think of anything less, even then passing through one of the most terrific wars that devastated mankind ; nor did we take it as a gift in return for the heroic services that we in our own sphere were able to render the empire and the cause of humanity. Rather we took it as the spontaneous expression of the finer political instincts of war-strung statesmen who were deeply agitated to secure to every struggling nationality its fundamental right to determine the form of government it should live under. It might have been a response to the puissant nationalism of India ; but it was not as such that it was welcomed with practical unanimity not only on the other side of Aden but on this side of it as well.

There has been a decided consensus of opinion in its favour and opposition worth the name never revealed itself except among a small band of retired reactionaries whose facile pens always get dipped into inks of gall, causing not a little nervous breakdown and prostration to old dames at Home and amusement to the millions of sweated men down here. But such men are happily few. Attempt has on the other hand been made in the direction of annotating and commenting on the announcement than condemning it. When the first step is taken, when is the last to be taken and between these how many steps should be trod ? What is to be the interval between each step ? Who is to decide as to the time that should intervene ; and can the parliament at any time surrender any portion of its responsibility in deciding these matters ? These are the questions on which attention has been concentrated and they are principally the questions that divide the Indian Nationalist from the British mailed-fist.

It would be rash to hold that any section of responsible politicians in India are unwilling to recognise the constitutional propriety of taking parliamentary opinion with them in the solution of their political problems. Their complete acquiescence in the declaration of policy need not necessarily lead to the abandon-

ment of their creed to fashion for themselves the instrument of their own government. In fact there is nothing in the announcement which renders impossible the evolution by the people of India of a system of government which might approximate to their common desires at the same time securing for it the legal sanction which Parliament alone can give. The nationalist demand for self-determination has never taken the form of a practical revolt against any kind of parliamentary intervention. That the Parliament is the ultimate and final authority is recognised by one and all and none is insensible enough to hold that a swaraj constitution can be enacted into law at a meeting of the Congress. It is only contended that as the ultimate and final authority the actual initiation should not rest with it, but that it should content itself with giving the finishing touches.

It is this role which nationalism prescribes to the Parliament that British statesmen refuse to concede. They think that it is the business of Parliament periodically to hold an inquest over the prostrate body of a decapitated people. This assumption of right may be legal and justly traceable to the policy announced; but politics is a series of adjustments between the various disputants and is not exclusively based

upon one's conception of the legal right. The Indian nationalist is deeply sensitive of his own rights and is equally anxious to concede to others what they justly regard as theirs. It may be the right of Parliament to tell us each time how far we may go ; and even pull our legs if we go a trifle fast. But if we walk our way without treading upon the shoes of others, why should it provoke any resentment ? Why hinder our progress if it is not hurtful to you ? That is the real issue. If the political institutions of the country admit of a safe and decided advance, what is the meaning of Parliament arrogating to itself the right to say ' No ' ? And whether they are capable of such advance, the men who work them know more about than half-a-dozen men picked from decent society simply because their forbears have charged them with a sense of judicial impartiality. It is this change in the angle of vision that is more urgently needed than violent protestations of sympathy hurled at us at every turn.

The charge has been laid that the Indian nationalist is averse to any kind of co-operation with the instruments of British Government and it would not be safe to let him have a decided voice in the determination of the constitution. Nothing can be more untrue

than this. There may be a few whose fiery imagination may envisage a future free and emancipated ; but in responsible quarters the desire has been unequivocally expressed to take our place in the sisterhood of nations that make up the British empire. Thrice did the Legislative Assembly deal with the problem of our ultimate goal and on none of the occasions was it resolved to hold aloof from British participation in the constitutional settlement of this country. The Legislative Assembly of 1924 definitely recommended to the Governor-General in Council "to summon at an early date a representative Round Table Conference to recommend with due regard to the protection of the rights and interests of important minorities, the scheme of a constitution for India " ; and this resolution has held good. The idea of a representative conference suggests clearly a preliminary discussion and settlement of a scheme which would be fairly unanimous in this country so that it might have the ear of Parliament when presented to it. When it is the Governor General in Council who is to summon the conference it would be futile to think of the possible exclusion of any interest, secular or religious, from it ; it does not even exclude the possibility of official representation. It may be noted that the adoption of this

clause was unanimous in the Assembly and the resolution itself was carried by seventy-six votes against forty-eight.

Such being the *modus operandi* of constitutional settlement, the reasons for refusing to pay heed to them deserve closer examination than its supporters contend have been given for them. That they are exclusively sentimental and unsustainable will be clear from the concession which, it is stated, is given by association on terms of equality with those who are to make a preliminary investigation of the conditions of advance. It is stated that Parliament can never abrogate its functions to any outside body or share with it on terms of equality its fundamental trust. Nobody asked of it either. It is amusing to be told of the obligations of a trustee who has been singularly guilty of breach of trust ever since it took over the trusteeship seventy years ago. But there is no question of abrogating any part of its functions when it is not the final solution but the initial investigation that is sought to be taken out of its hands. The association of representative nationalists with the Joint Committee of Parliament, if real and sincere, may give a chance of influencing policy at a stage when influence may practically be of no use. Backed by the unanimous verdict of a

highly intelligent jury no proposal has a chance of being improved by friendly criticism of unwelcome guests and that is the part we are called upon to play. It is a different thing altogether to lay the foundations and if there is association then on terms of perfect equality, it might have been a concession of value. The difference is well understood by those who are now seeking to interpret the announcement of August 1917 for their own ends. We cannot construct; we cannot build on our foundations. We can only watch and admire from a distance and pass a comment or two when the work is finished and our comment becomes useless.

The apparent reasons for a periodical enquiry by a purely parliamentary body cannot deceive any but those who have a congenital weakness to take the words of statesmen at their face value. The principal reason is said to be the obvious difficulty of making up a team good for working purposes. If every interest is to be satisfied, we are told, an unwieldy body of eighteen or twenty assessors will have to be called to hold the inquest. If that was all, that would be no insuperable difficulty. What would the number of inquisitors be if the Parliamentary seven meet the Select Committee of the Central Legislature or if they tour along with them and meet the

Select Committees of the Provincial Legislatures? What will be the number of the joint committee of both the Houses when it sits round a table in the Committee room of the House of Lords along with the representative delegation of the Legislative Assembly? Is the British Cabinet too big or too small for its purposes and has it ever been proposed to reduce it to the modest figure of a standing committee of a corporation? No; it is not the number that has apparently terrified the British Government as is made-believe, but something deeper and more crucial.

The necessary implication of the bogey of an unwieldy body to revise the constitution is that the country is seething with communal squabbles and religious acerbities to an extent that half a dozen safe men cannot be counted to speak on behalf of a united people. That there are divisions, schisms and even acrimonious disputations need not be gainsaid. How could it be otherwise? Three hundred millions of even dumb creation cannot be penned in a peninsula without distributing themselves into a score of groups; but that each one will fly at the throat of the rest save for the restraining influence of Pax Britannica may well be questioned. The divisions, if carefully studied, will be found to be confined

to the few who think or pretend to think, and not to have sunk to the mass below ; and if they had done, not all the army corps that Britain can muster in the east can garrison the country and keep it in peace. After all, the differences are not of a vital character ; and even if they are, they do not divide the country as acutely as parties are divided in the democratic west. There are no more fundamental differences between the Moslem and the Hindu or the Brahmin and the Non-Brahmin than there is between Capital and Labour, or Socialism and Toryism in enlightened England. Warring parties in the west have been known before now to sink their differences in face of a common foe or when a united front has to be shown ; and there is no reason to believe that a similar phenomenon cannot be witnessed in the sunny climes of the east. If Labour, Liberal and Tory can combine to thwart the legitimate ambitions of an ancient race, surely the Moslem and the Hindu can be expected to lay aside their personal spite to win for themselves their common heritage. The jury system may not be as well-developed in India as it has disclosed itself to be in the typical cases of Tilak vs. Sir Valentine Chirol or Sir Michael O'Dwyer vs. Sir Sankaran Nair ; but surely the country can well afford a dozen eminent jurists who

will acquit themselves with credit at this grand inquest.

The reasons for refusing a panel of intelligent jurists in place of an intelligent jury are the ancient and time-honoured ones which unblushingly protrude before our eyes. They consist in the protection of vested interests, the safeguarding of British commerce in the East, the finding and maintenance of an effective outlet and dumping ground for both the animate and inanimate wares of the United Kingdom. India has been an armed camp for the British War Office ready at a moment's notice to move her forces to any part of the globe. She has supplied an unfailing market for British manufactures and has successfully solved the problem of the British unemployed. She has afforded a wide training ground for business men with brains and has absorbed a decent number of the youths turned out of the collegiate mills. There is not a class but has created a vested interest, and those interests can only be protected by their representative members in Parliament. The Parliamentary Commission is a standing reminder of the conflict between the vested interests of the British in India and those of the sons of the soil. "What is your interest in the Arabi movement," asked some one of the

Earl of Rosebery and elicited the characteristic reply, "that of a bondholder". Yes; it is the tie of the bondholder that keeps India enchainèd. India is beholden to British soldiers, British capitalists, British bankers and money-lenders, British Civil servants and British everything. British statesmen will not take any step which will even in the slightest degree imperil any of these interests. And Britain will never realise that the clash of interests is only ephemeral and in its demolition and dethronement lies the enduring monument of Great Britain and India alike.

II

If the announcement had been made on the 20th August 1914 instead of three years later, how vastly would the political atmosphere have changed? Would it have been surcharged with suspicion and distrust as marked the days immediately following the announcement? Would the earnest efforts of Mr. Montagu to translate his best intentions into an act of Parliament, have met with the chilling reception with which they have been greeted? To what extent did the reforms fail to carry into effect the famous declaration of policy? Why did they fail to secure the earnest cooperation of those for whose benefit they were mainly intended? Was it due to the

innate vice of the ungrateful Indian or were there circumstances in operation which precluded any other attitude than that of unwilling acquiescence or passive non-cooperation? Three years make a tremendous transformation in the mental vision of individuals at a particular stage of their lives and what transformation has been witnessed between the years 1914 and 1917 in the political hopes and ambitions of Indians that what would have been welcomed as a generous declaration in the first year has been regarded as an inadequate recognition in the latter?

Speculation with regard to these matters would have been idle if history did not repeat itself; but the same phenomenon is likely to be observed once again, perhaps in a more intensified form, and a review of the past becomes all the more necessary if only we may guide ourselves in the future. There is nothing in eastern psychology which the western mind cannot understand if only it wanted to. Though its own political habitude has attuned it to a policy of wait and see, the waiting policy is not always the safest or the wisest; and a long-suffering people who have been dupes of to-morrow ever since their contact with the west, may well be excused if they are a bit impatient of waiting. The British

aversion to change which made even their only revolution a tame affair has much to commend it, but a policy of steady growth is different from one of silent procrastination. It is not so much the gift as the manner of giving it that really tells and British statesmen have overreached themselves in their immobility to respond to the changing signs of the times. Their own profession that they were defending the solemn obligations of international agreements imposed a corresponding obligation to respect the inter-statal rights of the component parts of the British empire. It was not till India poured her men and money in an abundant measure out of her own free will in the various theatres of the war that Britain reminded itself of its obligations to her ancient peoples. It savoured more of the calculating merchant than of a shrewd empire-builder.

To the halting, hesitating and suspicious nature of Britain is to be added the singular circumstance that it is particularly ill-served by its agents. They seldom care to translate into action the best intentions of their masters. They are more concerned with consolidating their power, prestige and emoluments than subordinating them to the healthy rearing up of democratic institutions among their fellow subjects. Their main endeavour has been to

break the backbone of popular movements and discredit them to the best of their might. The passing of a series of repressive measures calculated to curtail the freedom of speech and action—some of them since repealed and some yet permitted to disgrace the statute-book—and the remorseless use of *lettres de cachet* are the unfailing weapons in the armoury of an administration alarmingly influenced by agents provocateurs. Nothing has embittered public feeling more deeply than the rounding up of young men and their internment for countless months without trial or excuse. Such a method of silencing opposition and criticism of official misdeeds might have been appropriate to the days of the John Company; but the revival of those barbarous methods has provoked an amount of racial animosity and embitterment which their thoughtless sponsors could never have anticipated. It reminded people of the rule of might as against the rule of right and created an atmosphere of distrust in the wordy expositions of policy.

That the agents of British Government care more for the rule of might than that of right was illustrated in no incident more painfully than the shooting of defenceless people by General Dyer in Jallianwallah Bagh. The incident has become now as infamous as

the Blackhole of Calcutta and has been condemned by a Secretary of State for India with the approval of the Cabinet of the day. The condemnation has also been approved by the Labour Government that followed. A veil may therefore well be thrown over it ; but it is referred to here simply as showing in what an atmosphere of distrust and suspicion of the bona fides of British statesmen, the people who had to adumbrate the policy underlying the announcement had to work. It is not so much the action of an angry General temporarily, it was hoped, out of mental balance that embittered public feeling as the resentment caused among his countrymen by his just and condign censure. Even an English Judge went out of his way in defending him from the Bench and the loss of judicial decorum had again to be reprimanded by the Prime Minister of the day. The regrettable thing is that Dyerism has become an object of commendation instead of condemnation ; and a sensitive people cannot but take to heart the significance of the sympathy shown to an irate General instead of the defenceless and innocent crowd who were cruelly slaughtered by his orders.

This exhibition of brute force in maintaining civil order, of which the slaughter of a political crowd was only a passing and minor

phase, was as inexcusable as the policy of divide et empera that has been pursued with so much detriment to the peace and contentment of the people. The surrender of Lord Morley's finer judgment to the syren voice of Lord Minto had created a situation full of evil portents. The genesis of the Hindu-Moslem trouble arose out of the special electorates created by the reforms for which Lord Morley and Lord Minto made themselves jointly responsible. The Frankenstein having been created, the country is troubled not only by differences between the two great communities, but also by acute differences between the various subsects among the Hindus themselves. Into the justice or expediency of separate electorates for the purpose of political representation it is not needful to enter here ; they will be dealt with later on. But few can claim for them that they have composed differences or brought peace to the country at large. They have practically proved an apple of discord, a curse both to the giver and the taker. There has been a veritable scramble for power and position not based upon character, capacity or experience for vindicating and upholding them, but upon sectarian or sectional deficiencies. When power is transferred not on the ground of merit but on the sole ground of want of it, we may safely predicate

the decadence and collapse of the political edifice which is built on it. The Montford reforms aggravated the situation made precarious by the Morley-Minto effort ; and rendered disappointment more acute and differences more tense than they have reason to be.

The soil was thus rendered fertile for sowing the seed of non-cooperation which Mr. Gandhi did. His religious austerity and the purity of his personal character clothed a movement otherwise barren of life with flesh and blood and for a time the movement gave splendid promises of success. The shrewd opportunist that he is, he took in hand the discontented Moslems who saw before their eyes the dissolution of the only temporal emblem of Moslem power and greatness through the machinations of the western powers ; and the Khilaphet movement came as a godsend to those who have always refused to pin their faith in the high-sounding phraseologies of western diplomacy. Opinion had differed as to the ultimate result of the Gandhi-Khilaphet alliance; but there is no doubt that the non-cooperation movement would have been scorched into death but for the sustenance it derived from the discontented Moslems. Not even the ample facilities for the consolidation of their power and organisation into a distinct political entity,

which the Montford reforms gave, could wheedle them out of their pronounced and reasoned antipathy against the empty promises of British statesmen. The Khilaphet movement came in time to help the Nationalist in his attempts at discrediting and disowning the reforms; and had remained long enough to disgrace the mendicant policy of the Moderates.

The political symptoms of unrest, however deep-rooted or widespread, would not by themselves have lasted long and survived the terrible onslaughts of time. But the agrarian and economic situation always distressful had been made painfully critical by the very high prices that ruled just before the commencement of the war and after it. A committee that was appointed to enquire into the alarming rise of prices reported that though the movement was world-wide, the highest level was reached in this country. The masses suffered terribly by the record prices and the inadequate response which wages made to keep pace with them and mitigate their effects. They came to realise that the growing dependence upon foreign countries for their necessaries was rendered possible by the purposeful efforts of British manufacturers who ruined indigenous industries for the selfish ends of their own aggrandisement. The pressure of population upon the

soil grew intense and the high taxation which continued to be piled up did not ease the situation in any way. The sullen discontent of the people suffering from economic maladies was naturally deepened by the practical doubling of taxation soon after the introduction of the reforms. It seemed as though the Government was bent upon placating the services who at least were bound to be loyal to their paymasters; and the enormous and unreasoned increase in their salaries and emoluments turned another screw on the coffin of the tax-payer. A population deeply sunk in poverty and groaning under the weight of oppressive taxation, cannot appreciate the benefits of the vote to be exercised once in three years ; and cannot be enamoured of its compensatory value. They would naturally regard it as a further instance of over-government ; and that they were justified in so doing has been apparent from the financial history of the country during the decade that has followed the reforms.

Such in brief was the atmosphere in which the announcement was made and the reforms were ushered. They failed not because they intrinsically deserved the fate that overtook them, but because their sponsors failed to take note of the surrounding circumstances which alone could make or mar them. And those cir-

cumstances are unfortunately still in operation and it is not the vision of a pessimist that would predict a similar fate to the second venture. The highest dictates of statesmanship required the approach of the problem in a spirit of sympathetic imagination ; the removal of the obstacles that lie in the way of a further instalment of reforms being carefully considered and genuinely adopted. But the wrong way has been purposely chosen. Sympathy and imagination have given room to thoughtlessness and bravado ; and they are freely applying irritants to a sore and afflicted mind. Baldwin and Birkenhead have sown the wind and when MacDonald reaps the whirlwind, if he should, few will be found to sympathise with him ; he has put himself deliberately out of court.

CHAPTER II

THE PRE-REFORM CONSTITUTION

THE declaration of policy did not come a day too soon. The period of benevolent despotism had been a protracted one and the devices that had been made to clothe it with a constitutional apparel had all but failed. The system of responsible association with the government, which the Morley-Minto reforms were intended to usher in, had led to an impasse, which reflected no credit upon the rulers or the ruled. Within the short space of a decade the anomaly of constitutional autocracy had been fully exposed ; and the paramount importance of dealing with the problem from a different standpoint had been felt by none more vividly than by Lord Chelmsford. The role of a permanent opposition to the Government was as disgusting to the representatives of the people as an official bloc interposing a standing majority in favour of every government measure was to the official nominees. The Councils presented the appearance of houses divided permanently into two opposing camps, one side fortified by reason and the other by an effective voting strength. There might have been some success-

ful attempts at the one influencing the other and it should be surprising if that were not so. But such backdoor influence was not a proper substitute to representative government, which was what the intelligentsia wanted. And Lord Morley was as strenuously opposed to it as the people craved for it. "So far as my imagination goes," said his lordship on a memorable occasion, "India is unfit for representative institutions"; and reinforced the dictum with the classic argument of the fur coat. Indeed, the reforms that he adumbrated in company with Lord Minto were scarcely likely to develop into a system of parliamentary government.

This dictum of Lord Morley, which was the basic principle underlying his reforms, was sought to be justified by the paramount importance which he attached to the supremacy of parliament over the governance of India. It should be hardly possible for a philosophic radical believing in the omnipotence of the British Parliament to think otherwise. One of his political colleagues, Lord Wolverhampton, had stated before that every member of parliament was a member for India; and the divine mission of the British parliament to govern the destinies of this country has been uniformly recognised without difference of party label. Liberals, Conservatives and Labourites have

been found to be of one mind whenever any question of importance arose in connection with India. Though such occasions are rare, as call for the expression of parliamentary opinion, there is no doubt of the legal control which Parliament through the Secretary of State for India exercises over Indian affairs. The salary of the Secretary of State was not placed in Lord Morley's time on the British estimates ; but the reform subsequently carried out only emphasised the theoretical control of parliament over the minister responsible for Indian affairs and more vividly pointed to the subordination of the Government of India to the supervision, direction and control of the British parliament. The extent of that control is practically limited to East India Loans floated in the London Money Market and to amendments to the constitution, in both of which cases legislative sanction has to be sought. Permission has also to be obtained of both Houses whenever the cost of military expeditions outside of British dominions has to be met from Indian revenues. These are periodical excursions which the parliament permits itself the pleasure of indulging in ; but there is the annual show when the Lower House resolves into committee to record a bald statement that East India Accounts show a certain figure as revenue and a certain figure

as expenditure in the year ending the 31st March preceding. A desultory discussion usually follows an ambitious speech from the minister in charge and the diary of the House is enriched by the chronicling of that statement.

Such visible tokens of parliamentary supervision cannot but result in the establishment of a sort of despotism centering round the figure of the Secretary of State; and it is not unnatural that he should resist any attempt at poaching on his prerogatives. The practical immunity that he has from criticism of a body so ill-fitted for such a task alike by its ignorance of the administrative problems of a country six thousand miles away and by the inadequacy of time that it can devote for such a purpose, even if it should have the inclination to study them amidst the pre-occupations of its own domestic problems, has derived a source of support from the expert body of advisers he has been supplied with. That Cave of Adullum of retired reactionaries, which goes by the name of the India Council, has provided the despot with a convenient shelter for all his actions, setting them with the seal of expert support; and between them they have created a tradition of complete and effective intervention in the policy of British Indian administration. Till the archives of the India Office give up their secrets

it may not be possible to depict the extent and scope of such intervention in the carrying out of legislative as well as their administrative behests ; but it may safely be stated that apart from his being the head and fountain source of the Services, which derive their power and authority from him, with or without his Council, the Secretary of State approves, alters, originates or vetoes all measures affecting public revenues and expenditure ; initiates or sanctions all legislative measures ; and otherwise directs the administrative policy in all departments. There is not a branch of administration whose policy is not laid down by him. The only matter in which he admits of a master is the organisation of the Indian Army located in India which is under the guidance and control of the War Office ; and subject to this exception, the Secretary of State for India is the one autocrat who rules by his fiat the fates of this vast continent without let or hindrance.

The limit to this power of control was discussed on a number of occasions both under Liberal and Conservative regimes. Lord Mayo's Government were told that the one great principle which underlay the whole system was that "the final control and direction of the affairs of India rest with the Home Government, and not with the authorities appointed and

established by the Crown, under parliamentary enactment in India itself". That was with reference to passing legislative measures initiated and sanctioned by the Secretary of State. When a fiscal measure gave rise to acute difference of opinion between him and the Government of India, Lord Northbrook's Government were reminded that "the control exercised by Her Majesty's Government over financial policy must be effective also". The reason for this policy was laid down by Disraeli's Government in the following words: "Full legal powers having been entrusted to Her Majesty's Government, Parliament would expect that care should be taken that no policy should be pursued which Her Majesty's Government were unable to defend. If the control they possess were to be in any respect less than complete, the power of Parliament over Indian questions would be necessarily annulled. If the Government were at liberty to assume the attitude of bystanders, and to refer the House of Commons for explanations to the Governor General in Council upon any policy that was assailed, there would practically be no one whom the House could call to account, or through whom effect could be given to its decisions. In scrutinising the control exercised over the Government of India by Her Majesty's Government, and the grounds

for maintaining that control, it must be borne in mind that the superintending authority of parliament is the reason and the measure of the authority exercised by the responsible Ministers of the Crown ; and that if the one power is limited the other must be limited at the same time ”.

The superintending authority of parliament may be the reason ; but one cannot but demur to the proposition that it is also the measure of the authority exercised by the Ministers of the Crown over the Government of India. In practice the Secretary of State's autocracy, which is tempered only by his own moderation, has completely eclipsed and overwhelmed the authority of both the Parliament and the Indian Government. The surrender of the authority of Parliament to the chief Minister of the Crown has excited little comment as the Minister for the time being represents and reflects the will of the British voter and is not likely to do anything adverse to the interests of his paymaster. On the other hand the Indian Secretary has always been guided in his policy by the supreme consideration of what is best to the British taxpayer and the latter in turn has left his discretion unfettered in whatever does not conflict with his own interests. In all matters affecting the trade, commerce, and industries of Great Britain the

interests of the Indian tax-payer may be safely expected to be subordinated to those of his British compeers and not even the most powerful Secretary of State for India has been known to fight for the cause of his wards. Of recent years the grip has been made tighter even in the matter of finance and the taxation and fiscal policies have also been regulated in the main with a view to subserve the vested interests of Britain.

Subject to the limitation aforesaid, the power of the Governor General in Council is supreme on this side of the waters. In law and in fact the Government of India are only the agents of the Secretary of State; but the agency has been of a remarkable kind. With powerful and strong-minded men on the viceregal gadi, the Secretary of State may be a mere mouthpiece of the Indian Government. Lord Curzon and Lord Reading had much their own way and mediocre ministers only interpreted their views when occasion required. Lord Morley and Mr. Montagu on the other hand left an impress on the administration which only gave a second and subordinate place to the autocrats at Delhi. The question has been more or less one of personal equation. Ordinarily, however, there has been a sympathetic correspondence between the views of the

two sets of statesmen, advised as they invariably are, by the same type of experts. If the Secretary of State has a Council to guide and advise him, the Viceroy has a cabinet, each member of which is clothed perhaps with greater individual responsibility within the ambit of his own department, but wedded in all main issues to the principle of collective responsibility. A member who disagrees may only resign ; but constitutional propriety imposes a united and undivided responsibility on the whole cabinet for every decision it may take. The same applies to the provincial sub-agents whose spheres of work have been time after time carved out of the powers vested in the chief agent. Just as whatever doubt there might have been about the joint responsibility of the Viceroy's cabinet was laid to rest by the pronouncement of Sir Henry Fowler, when the debate on the cotton duties was at its height, even so the complete subordination of the provincial governments and their character as sub-agents was clearly laid down by Lord Crewe when he said that "there is for India one system of administration and one alone ; and it is only by bearing steadily in mind this fundamental principle that the solidarity of the administration can be kept unimpaired and those disruptive tendencies controlled which must always form the chief

risk of decentralisation of authority". The principle is none other than that " it is incumbent on a provincial Government in the conduct of the business of its Legislative Council to avoid disclosing a difference of opinion in an administrative matter between the Imperial and the Provincial Governments, and doing nothing to foster the impression that there may be opposition between the constitutional responsibilities of these Governments, when no such opposition either does or can exist".

It is needless to catalogue the various fields in which the Government of India exercise their powers both in their individual and appellate authorities. The Governor General in Council is said to be the constitutional head of the Indian Army and is responsible for the defence of the country ; and allied to it is the charge of diplomatic relationship with bordering powers and political relationship with the Native States, which form by no means a small bulk of the Indian territories. The management of the commercial services, the currency and exchanges and the public debt as well as the regulation of the tariffs is in the hands of the Government of India. They are also responsible for the audit and accounting of all monies throughout the country. Among the spheres which are normally under the charge of the

provincial governments, the central government can interfere, either in the first instance or on appeal through the Home Department in matters relating to the Civil Service, internal politics, jails, police, the civil medical service, law and justice and courts ; through the Revenue Department in matters relating to revenue, surveys, forests, agriculture, veterinary administration, meteorology, and famine and public works and irrigation ; through the Political Department with such Native States as are in political relation with Provincial Governments ; through the Finance Department in opium, stamps, income tax and the pay, leave and pension of the services ; through the Department of Commerce in commerce, exhibitions, factories, mining, explosives, emigration, fisheries, salt and excise ; and through the Department of Education in education, local self-government, sanitation and so forth.

The enumeration of the spheres of control, direct and indirect, which the Central Government exercises over the provincial governments shows the purpose running through the close hierarchy of officialdom in charge of the administration ; and the instruments used for the exercise of that control indicate the unitary type of government they wanted to develop. The revenues of India, said Sir James Westland once, are the

constitutional possession of the Government of India and it is chiefly the power of the purse that delimits the spheres of influence of both the central and local governments. The codes of instructions such as the Civil Service Regulations, the Civil Account Code and the Public Works Code form a digest of case law embodying the principles laid down by the central government for the guidance of the subordinate officials and operate as a real check upon provincial extravagance or independence. The financial system which gradually developed from one of contract to a permanent settlement with divided heads of revenue and expenditure during the administration of Lord Hardinge, still fell short of effecting provincial enfranchisement and permitted the central government to interfere in provincial expenditure. It could not avoid supervision over the details of financial administration. The power of taxation having been withheld from the provinces along with the floatation of loans on their own account, a necessary weapon of financial and administrative freedom was also withheld ; strict subordination was enforced by sheer exigencies of finance ; and action was circumscribed within the limits laid down by the Codes and the permanent settlement above referred to.

In the matter of legislation, the statutory limitations and executive directions pointed to the same identity of purpose to which the financial arrangements led. The previous approval of the Secretary of State for all bills before introduction whether in the supreme or provincial legislatures, enables him to exercise his veto if he objects to their principle. Non-official provincial bills do not require such approval except when they affect public revenues, in which case the Governor's sanction is necessary ; but the Secretary of State had ruled that such sanction ought not to be given before he had seen the bills. The power of the Supreme Legislative Council to legislate for the provinces being co-ordinate with that of the provincial legislatures, all measures necessitating uniformity of treatment are reserved to the former. The convention has been followed by the Supreme Council not to legislate in matters pertaining solely to the provinces ; but that can only affect matters of secondary importance. The Governor General in Council has through his legislature enacted laws on all matters of vital import ; and their repeal or amendment has necessarily to be taken out of the purview of provincial legislatures. The statute further lays down that certain matters cannot be the subject of legislation in a provincial council

except with the previous sanction of the Governor General and they include principally the laws affecting religion or religious rites and usages of any class of the British subjects in India or regulating patents or copyright or affecting the relations of the Government with foreign princes. Even in regard to private members' bills, which do not require the Governor's sanction, the Councils can be manipulated by the Government so as to refuse consent. Legislative measures have a chance of maturing into laws only when they have previously secured the approval of the Secretary of State and have been blessed with the imprimatur of official countenance.

It is not suggested that this system of administration was absolutely free from any vestige of constitutional government. A trace of it can be found in the legislative councils, both supreme and provincial, which have been construed and constructed as an enlarged wing of the respective Executive Councils. For the purpose of making laws, and for that purpose only, the Executive Councils expanded themselves at first into legislative councils where the voice of the people may be heard. The Act of 1861 which restored to the Governments of Madras and Bombay the power of legislation taken away by the Act of 1833—and similar power was subsequently

conferred on existing or newly created administrations—provided for the Viceroy's Council being reinforced by not less than six and not more than twelve members, half of whom were to be non-officials. As Lord MacDonnell said, the Councils were not "deliberative bodies with respect to any subject but that of the immediate legislation before them. They cannot enquire into grievances, call for information or examine the conduct of the executive. The acts of administration cannot be impugned, nor can they be properly defended in such assemblies, except with reference to the particular measure under discussion". The Act of 1892 provided a loophole for the introduction of the elective element by what has been known as the Kimberly clause. It enabled the Secretary of State in Council to make regulations as to the conditions of nomination of the additional members to the legislative councils. The power of nomination rested with the Government; but corporate bodies were invited to make recommendations as to the persons whom they wished to be represented by and such recommendations were usually upheld. A further right given to these "nominated" additional members of asking questions and discussing the budget, if not voting on it, converted the legislative councils

from being a committee of the Executive into a sort of debating societies.

The constitutional advancement that had thus been reached before the Montagu reforms had been governed by one main standard and test, as Lord Morley called it, which was the effect any new proposal may have upon the "strength and steadiness of the paramount power". Having regard to this standard and test Lord Morley's ambition was naturally limited to "enlisting fresh support in common opinion on the one hand, and on the other by bringing Government into closer touch with that opinion, and all the currents of need and feeling pervading it, to give new confidence and a wider range of knowledge, ideas and sympathies, to the holders of executive power". The prime object of the reform being the maintenance of the strength and steadiness of the paramount power, the legislatures cannot contemplate to have included among them men who would in any way be suspected of weakening it; and as the holders of executive power were to be given a new confidence and a wider range of knowledge, ideas and sympathies, the electoral machinery was to be so devised as to send only such men as would play the unpaid schoolmaster for them. In the constitution of the Viceroy's Legislative Council,

as the fundamental principle of ensuring "a constant and uninterrupted power to fulfil the constitutional obligations that it owes and must always owe to His Majesty's Government and to the Imperial Parliament" was to be observed, an official majority was retained. Out of sixty additional members the regulations provide for, only twenty-seven seats were thrown open for election. In the provinces, except in Bengal where there was an elected majority, the retention of a bare official majority was given up. But a combination of official and non-official nominated members could always be manœuvred to the side of Government. In theory at all events the Central Government could use its concurrent power of legislation in the Supreme Council and the right of previous approval and subsequent veto to effectively combat the power of passing any bill to which it may be opposed.

The purpose of the Morley-Minto reforms being such as has been stated above, the franchise cannot be general or direct. Representation was therefore confined to interests rather than territories, to communities rather than to the general body of voters, to groups of corporate organisations rather than to the free will of individual tax-payers. It would be a mistake to suppose that indirect representation

and special electorates were thought of simply because the instruments were handy ; but there lies a deliberate purpose behind them. For the first time direct representation for communities was started by creating special electorates whereas it was confined in the past to the indirect method of representation given to special interests. For example, European interests were protected and safeguarded by the right of representation given to commercial organisatians as the Chambers of Commerce ; but the innovation was deliberately made by the Morley-Minto reforms to provide for representation by communities with a view to supply a "counterpoise" to the excessive influence of the educated classes. The creation of separate electorates for the representation of the Mahomedan community as such, we owe to the genius of Lord Minto and it marks the commencement of the period of definite cleavage between the two great communities who lived till then in comparative peace. Mahomedan interests did not suffer by lack of representation in the Councils, nor were competent gentlemen's claims overlooked. Mr. R. N. Sayani in Bombay and Nawab Syed Mahomed in Madras were successfully returned to the Imperial Council long before communal representation was thought of. The two great

communities, which it must be the endeavour of every statesman to coalesce into one homogeneous whole, were purposely kept apart by segregating them into two watertight compartments more as a political measure than as a possible solution of a pressing problem. Another community which as such secured separate representation was the large land-owning class. The small landholders and the rest were represented in the Imperial Council by the indirect method of an electorate constituted of provincial legislators and in the provincial legislatures by the Municipalities and District Boards.

It requires no political imagination of a high order to say that a state of things so purposely brought into existence to steady and strengthen the paramount power, by instructing if need be the holders of executive power into the undercurrents of popular thoughts and feelings, cannot last long. No sanguine expectations were held out of such a paltry recognition of the right of the people to participate in an effective manner in their own government; and the crumbs so niggardly thrown were hardly expected to satisfy their political hunger. To the right of asking questions and speaking on the budget already secured, the right of moving resolutions had

been newly conferred on the members. But of what avail moving resolutions or carrying them *nem con* if there was not the power of enforcing them? Speaker after speaker might stand up and harangue and resolution after resolution might be carried by the Councils; but the executive had the power of negativing them by their vote or decently burying them if they failed in the division. Both in the provinces, where there were elected majorities and in the Supreme Council, where the official block voted solid, influence was limited to private audiences and even a walk-out was of no use. It could only serve the purpose of a theatrical display and leave no mark on the powers-that-be. The legislatures degenerated into periodical shows for the exhibition of tongue-athletes, where children of larger growth carried on a sham fight of which the result was foregone. It instructed none but amused many; and none more perceptibly than the executive stage-managers of this foolish pantomime.

Dumb Show.

CHAPTER III

THE NEED FOR SELF-GOVERNMENT

FOR forms of government let fools contend, that which is best governed is the best, was the political philosophy sung by a poet years ago ; and that is a philosophy very much after the heart of the average Indian. It found little support, however, from any respectable body of political thinkers in the west. Their axiom is contained in the exclamation of a Prime Minister that good government is no substitute for self-government. Sir Henry Campbell-Bannerman little knew that at that time the brightest jewel in the British diadem shed the glory neither of good government nor of self-government ; but then he spoke of South Africa and for the white races. To them even bad government is tolerable if it is run by themselves. It may be due to the faith that the white people are sure to tumble into good government sooner or later ; or it may be due to the realisation that the permanent evils of an alien rule, however well-intentioned or efficient, far outweigh the ephemeral advantages of good government. The endeavour of every western power has therefore been to secure

some form or other of self-government even though the price paid for securing it may be too high. Through bloodshed and rapine, through regicide and civil war, they have waded to their goal and nothing has deterred them from pursuing their destiny. They differ in this respect from the placid Asiatics who are not easily stirred into political experimentations which are more or less anathema to them. Their genius has lain in other directions, in the cultivation of the soul to loftier purposes. Europe has been the theatre of political intrigues, a school of political experiments, whereas Asia has been the birthplace and training ground of religious savants. The children of each have inherited the virtues of their forefathers.

It is impossible that the growing commerce and intercourse between the east and the west can have no influence on the ideals of life of either ; and it is only reasonable that Europe should barter her political lessons with the spiritual teachings of Asia. If the westerner has now come to think of God at least once a week, the Asiatic has begun to fashion his political institutions on the models of the west. Among the earliest and the most successful of the peoples who transplanted the principles of European polity into their organisation are the-

little islanders of Japan. Their rise and progress as one of the greatest maritime and industrial powers of the world within the last hundred years, have sent a thrill through the arteries of Asiatic life and stimulated like effort on the part of other powers less endowed by nature and the gifts of their subjects. The most recent victim to democratic institutions is the land-locked kingdom of Afghanistan, so securely impenetrable and inaccessible till now to western modes of thought and civilisation. The marvellous attempts that are being made steadily and silently by the incoherent and unobtrusive powers about the Asian plateau to bring their administration into line with that of the more progressive powers of the west, have provoked the curiosity of Europe and are being watched with zealous if not suspicious eyes. The spirit of political freedom is contagious and the enfranchisement of a country cannot but have its repercussion on its neighbours. The dread of such a contingency supplies the motive-power for the more conservative among them to pull up or otherwise they know they stand the risk of being washed away by the flowing tide of revolution. Inaction is impossible; autocracy is tumbling down everywhere and the flag of freedom is being hoisted instead. And even

unchanging India cannot resist the temptation of going ahead or falling a prey to disruption and decay.

It is regrettable that the pace of political progress in India should be set by the march of events abroad and not by the conditions of organic growth within the country itself. The tremendous upheaval that followed the crushing defeat of the most militant and valiant power of Europe at the hands of the latest recruit to civilisation, had its corresponding effect on the political destinies of this country. It resulted in the enunciation by Lord Morley of the principle of the governing power owing allegiance to the landowning and Mahomedan communities and setting them up as a "counterpoise" to the educated classes. The incipient Mussolinis and Kemals were to be chopped off their head after the wisdom of Torquinius Priscus and association was to be confined to the "stable" elements in society. The next great war and the world's greatest cataclysm was marked by the enunciation of a new policy, which was to introduce representative government by instalments. We are not yet on the eve of another world-war though the chancellories of Europe seem to be heading for it despite all their talk of disarmament and outlawry of war; but the wave of political

disruption and Bolshevik propaganda, which has upset the serene docility of the Chinese and has dashed against the rocky gates of Afghanistan, has created a mild stir in the comfortable dreams of Anglo-India. We are to have another instalment of reform not primarily because we have long since qualified ourselves for it, but because the political condition of the Asiatic world makes it inevitable. A recent writer in the *Manchester Guardian* drew pointed attention to the modernisation of Afghanistan and the effect it must have upon the political consciousness of awakened India ; and warned the Simon Commisson to note what is going on across the frontier in devising their scheme of constitutional reform. If King Amanullah's European tour has done this much to us, it would certainly be a valuable return for the enormous subsidies we have been paying him to keep him in good cheer. There may not be grace in reforms being wrung as an unwilling concession ; but that they should be forced by the exigencies of the situation abroad is an irony that has no parallel in the history of empire-building.

The plea for self-government is not based, however, on the effect of modernisation of most Asiatic Powers on the imagination of Indian youth. It would of course be a neces-

sary corollary to the sacrifice which India has abundantly made in the last war, fought on the main issue of the recognition of the principle of self-determination in the shaping of the political fortunes of the combatant Powers. That is also the reason for which the Indian National Congress and the members of the Swaraj organisation ask for self-determination. To a great extent they have been fortified in the view by the blatant declarations of responsible statesmen. Lloyd George, for example, had told that "these loyal myriads should feel, not as if they were a subject race in the Empire, but as partner nations". The theory of imperial partnership is not a new one; the claim had been only too frequently made for the predominant partner to lay violent hands on the purse and pocket of the silent partner as a matter of course. But the idea of a ruling race and a subject race was henceforth to be abandoned and England and India were to stand shoulder to shoulder for one mighty purpose as "partner nations". One partner cannot dictate to another and that moment partnership dissolves. They are equals in law and in practice. The partnership of India was not therefore to be based upon complete surrender of her rights and obligations, but upon the mutual recognition of both. The other members of this partnership have them

duly emphasised and respected ; and in the hegemony of the British Empire, India is the one partner whose right to self-determination has been purposely withheld from her. Lloyd George was fully aware of this and when he put in his plea for the recognition of the status of "partner nations," it can only be supposed that he was anxious to set up a new angle of vision even a few months before the famous announcement of his Secretary.

However sound and valid this ground, the most substantial argument lies in the practical failure of the bureaucracy to discharge the trust that has been imposed upon it without grudge or demur. The severest condemnation has come from the two statesmen who, trained in different schools of political thought and endowed by nature with different temperaments, agreed in the conclusion of the hopelessness of the existing system to respond not merely to the demands of the hour, but to the due fulfilment of its own purpose. Their indictment embraces every field of governmental activity not excluding the mission which the British people had set before themselves in the "conquest" of India and the object with which the Crown took over the charge from the hands of the East India Company. A hundred and fifty years ago Sir Thomas Munro put himself the question as

to what was to be the final result of the political arrangements on the character of the people. "Is it to be raised or is it to be lowered?" he asked. "Are we to be satisfied with merely securing our power and protecting the inhabitants or are we to endeavour to raise their character, to render them worthy of filling higher status in the management of their country and devising plans for its improvement?" And he indicated the answer by declaring that the British possession should be maintained until the natives of India should become sufficiently enlightened to frame a regular government for themselves and to conduct and preserve it. The early statesmen who bore on their shoulders the heavy burden of evolving order out of chaos and organising an efficient system of administration did not hold out to themselves the promise of keeping the country in permanent vassalage. To what extent has Sir Thomas Munro's vision been realised? What training in the art of government has been given so as to have a healthy reaction on the national character of the people? It is an axiom that the character of political institutions reacts upon the character of the people and a "slave mentality"—an inelegant though expressive phrase—must be the inevitable result of a highly centralised bureaucracy. If there

are parts of this country where people declare themselves incapable of running the machinery without a master ferule in hand, it is not that they are born with an extra dose of original sin ; it is due to their mental and moral languishment, a direct result of their political subordination.

The political training that had been given had been confined in the main to the field of local self-government. Much was expected from it though every endeavour had been made to render the result a nullity. Power was given to a body of men least fitted to exercise it and limited to areas which were incapable of growth. It was unable to reach the wider range of people outside the cramped circumference of towns. It was hampered by red-tape and official intervention at every stage. There was not the ghost of a chance of people bungling into the right. Since the days of Lord Ripon, the father of local self-government, the experiment has been tried under the most adverse circumstances and few can deny that though a civic conscience has not been developed to the extent that is desirable, there is a lively appreciation of the franchise and a growing sense of the value of the vote. An increasing number of people are going to the polls and elections have ceased to be the tame affairs they used to be. If brickbats and rotten eggs are not much in evidence, they are not

unoften displaced by choice Billingsgate or expensive contests in law courts. There are only seven hundred and sixty three Municipalities all over India embracing a population of less then twenty millions ; and of them only seventy five have a population of over fifty thousand. The total income of the Municipalities is under fifty crores, of which the Corporations of Bombay, Calcutta and Madras alone contribute about thirty five crores. The infinitesimal number of men that have been inoculated with the serum of local self-government and the poverty of their financial dealings, circumscribed by the unending activities of red-tape and departmentalism, illustrate the difficulties of educating the mass in the art of responsible government.

If the political education of the cities is confined to less than eight per cent of the total population of whom the major portion are still disfranchised, that of the rural population has been completely ignored. The number of district and local boards, including about five hundred union panchayats in the Presidency of Madras, are less than one thousand three hundred, containing about fifteen thousand elected and six thousand ex-officio and nominated members. Of these the panchayats account for over four thousand elected and a thousand four

hundred ex-officio and nominated members. The union panchayats are really the bodies that are in close and intimate touch with the ryots, wherever they have been constituted. and they are of but recent creation. They have been revived after the model of the ancient village republics which had acquired a hoary antiquity and performed through ages a distinct service in the economy of rural life, till they were swept away by the modern revenue system and the administration of civil and criminal justice. They can hardly be restored to fulfil the function they did for centuries, surviving invasions, convulsions and anarchies, as republics in embryo. The experiment is still in the making and has got to be extended to other presidencies in a generous and unstinted measure. The taluq boards, which are the little parliaments of sub-districts, have failed to evoke any enthusiasm, though direct election has been given to the landowner, by reason of the fact that they are only taluq committees, or executives of the district boards with practically little or no power of initiation or action. Election to the district boards is indirect by members of the taluq boards; and the ryot is therefore kept out of direct and immediate hold on the members and their activities. The political education of the ryots is thus systematically avoided by those

who pretend in season and out of season to be their friends and champions and dispute with sickening iteration the claims of educated Indians, born of them, bred with them and sharing in the joys and sorrows of life with them, to represent them.

The progress of education, which is generally held to be the hand-maid of representative government, is a further index of the efforts made by the bureaucracy in the discharge of its trust. When the want of general education is pitted as a plea against the grant of self-government one is naturally tempted to enquire about the steps taken by them to dispel darkness and bring light into the dark corners of the village. The total number of scholars attending recognised and unrecognised institutions in all the various stages of education is less than ten millions, of whom those attending the primary stage are a trifle over eight millions. The ratio of boys to girls is twelve to one. About twenty crores is the annual cost incurred in the mighty project of national education, and of this the Government pay but fifty per cent. The District Boards and Municipalities pay an additional fifteen per cent leaving the balance to be met out of fees by the scholars themselves and other sources. For a country which boasted to have reared up a system of universal

education if not by compulsion, at least with eager and willing acquiescence, the degradation of a mock education, strictly limited and controlled by departmental agencies, cannot but be a matter of painful regret and anguish ; and when the capacity for self-government is sought to be measured by the extent of literacy among the populace, the all but snail's progress that has been made as a measure of prudential policy, invites severe reprobation. The government of India made short shrift of the bill introduced into the Imperial Legislative Council by that ardent patriot and lover of education, the late G. K. Gokhale, to make primary education free and compulsory ; and have not cared since to embody the principles of his measure in a legislative enactment. A policy of drift has been pursued and they cannot complain if the charge of deliberation is also levelled against them. The reformer who would boldly float, if need be, a loan of a hundred crores—a far smaller sum than has been sunk in the Sulaiman or the Hindukush and wasted in the civilisation of the Afridis, the Wazirs and similar frontier tribes—to spread the country with a network of seminaries, cannot be expected to arise in the firmament of the Indian bureaucracy ; and one wonders how mass education can ever become a fait accompli without some such effort.

If rural education as a means of political enfranchisement has been severely neglected, it has been culpably ignored in securing and preserving to the ryot the material wealth which is justly due to his labours. It should be the object of every national government whose mainstay is agriculture to develop its resources in a manner that two blades of corn may grow where one grew before. The Montford report notes with deep concern the large proportion of population which the country gives to agriculture. Whereas, it points out, a highly industrialised country like England gives fifty eight persons out of every hundred to industry and only eight to agriculture, India gives seventy one per cent to agriculture or pasture, twelve to industry, five to trade, two to domestic service and one and a half each to the professions and to government service or the army. Since then the pressure of population on the soil is growing more and more intense and the importance of making agriculture self-supporting and ensure to the labourers at least one full meal a day is heavily pressing. What are the agrarian reforms that have been brought on the legislative anvil by the executive holders of power to secure to the agricultural labourer and the rural peasant the fruits of their own labour? A quiet and unobtrusive minister has recently stated

that there is hardly an estate in Bengal which paid more than six or seven rupees to the holder. That is in the land of permanent settlement. Elsewhere a grinding revenue system has driven the peasant to the greedy arms of the money-lender; the entire landed asset of the cultivator is mortgaged to the tune of six hundred crores. The Cooperative Credit Societies that have been started with a view to relieving agricultural indebtedness have, if possible, only stimulated borrowing and intensified the very evil they were intended to prevent. They might have relieved agriculturists' indebtedness to some extent; but that is a different matter altogether. Deeply indebted and sunk in poverty, the ryots cannot organise; they cannot hold out against their foreign competitors or hold their own in the world's market. They have degenerated into slaves of the foreign exploiters and entrepreneurs, either by having mortgaged their produce in advance or by sheer ignorance of the conditions of the market abroad. A bold peasantry as the saviour of the realm is a dream of the poet; a sunken peasant past hope or redemption is the enduring monument of the ablest civil service on earth.

While on the subject of rural education as a sine qua non for the successful working of representative institutions, one has to deplore

the manifest aversion to what has been dubbed a purely literary education imparted in the colleges to the youthful seekers after truth and learning. That it is one-sided and calculated to put on the market an ever-growing number of discontented graduates is one of those myths that has been circulated with such assiduity as to put on the appearance of truth. That it is godless, that it has developed the intellect at the expense of character and the emotions, that it is unpractical and unscientific, are reproaches made by all and sundry ; but the statesman who more than all stood for organising university education on the lines of the great universities of Oxford and Cambridge has still his withers unwrung. One wonders what would have happened to the political evolution of this country if higher education had been denied to her sons and the activities of educational authorities had been confined solely to the manufacture of superior masons, smiths, artisans, cobblers and the like. That education might have been stopped at the secondary stage and rendered unavailable to all but a favoured few, is a possibility with those who stand amazed at the marvellous results that have attended higher education in this country. It has effected a wonderful revolution in thought and feeling; regenerated an ancient and fallen people; dug

from out the debris of ages the intellectual Pompeii of ancient India ; and revivified them with hopes of a yet more brilliant future. To what but the blessings of higher university education do we owe a Sir P.C. Ray or Sir J.C. Bose and the wonderful research-work that has been made by them for the benefit of common humanity ; a Vivekananda, a Dayanand Saraswathi or a Dr. Bhandarkar and the great spiritual upheaval that had marked their life-work ; a Ranade, a Sir Pherozeshah Mehta, a Tilak or a Gokhale and the great political movement that has surged the passions from one end of the country to the other ? They are a national asset of which any country can be proud. The captains of industry have been university men or those who have come into contact with, or been considerably influenced by, university men. Chimney-sweeps and street-washers never made a nation great ; it is made great by a Tyndal, a Faraday, a Newton a Compte and men of such supreme intellectual eminence. The opponents of Indian nationhood realised this truth ; and if Lord Curzon aimed by his University Act a deathblow at the growing rapidity of higher education, it was not by lack of perception of the great intellectual, social and political revolution that must follow in its wake and the seeds of which had been sown on

the fertile soil of the universities of his time.

The one defect of university education, which a national government framed on representative basis would have been the foremost to cure, is its exclusive literary character. Its ambition would have been to give a more scientific turn to subserve the purpose of the manufacturer's laboratory. The university must respond to the call not only of the man in the market place but the ever-pressing needs of commerce and industry as well. It must be the brain-centre of the nation's activities in all their varied forms and modes. The success of the Germanic peoples in the field of commerce and industry is chiefly owing to the organised intimacy between the universities and the industries, where the fruits of research in the former are immediately garnered by the latter; and if in other countries they have not done likewise, they are paying a proper price for their abstinence. The textile industry alone can subsidise a number of research-scholars in the University of Bombay and subsidiary industries elsewhere can amply benefit by turning the nearest universities into fields for research and investigation. But the spirit of coordinating research work in cities with the practical needs of in rarely be fostered by a Gov is made th

only Research Institute a lifeless school of curios. The country needs to be filled not with one but a hundred research institutes similar to the Tata foundation in Bangalore ; but that can only come from the realisation of the identity of purpose between life and education. Where the ruler conceives his mission to be no higher than a farmer of public revenues, the seats of learning may not be imbued with the true spirit of national advancement. The German industrialist makes a copious draft of research-students to his studios. Such a thing may not be possible in India where industries are few, unorganised and not wholly efficient ; and that is all the more reason why the government should have research-work conducted in an ample measure at the cost of State. When agricultural research is confined to scarcely a college in each province—and agriculture is the staple industry of the country—it would be too much to expect the promotion of the ideal of close intercommunication between life in the university and life in the business world.

The result of the grave neglect of agricultural and industrial education, as part of a well organised scheme of university work, has been the growing poverty of the people, whose death-rate persists in standing at about thirty

per mille, whereas it is below thirteen in the United Kingdom. The need for developing the industrial aptitude of the people to provide for diversity of occupations was brought home to the Government so early as the seventies of the last century by the reporters of the first Famine Commission and since then there have been periodical visitations of the 'dread monster with little corresponding effect upon their attitude. We have in place of a highly organised and up-to-date polytechnic schools giving intensive training to those anxious to place themselves on the van-guard of industrial activities, an elaborate famine code which is expected to stave off famines. Prevention is to them not better than cure. The latest effort in giving a stimulus to industrial development was the appointment of a commission and like similar reports, that of the Industrial Commission is relegated to the limbo of the lost. The reason for this step-motherly affection to many-sided growth has been truly laid at the deliberate intention of the Government to prevent setting up a formidable competition in India to the industrial enterprises of England. The idea of making this country self-sufficient both in the arts of war and in the arts of peace has been foreign to the bureaucracy ever since the days of the John Company and

the Montford Report makes the significant admission that "it is only now, when the war has revealed the importance of industry, that we have deliberately set about encouraging Indians to undertake the creation of wealth by industrial enterprise, and have thereby offered the educated classes any tangible inducement to overcome the traditional inclination to look down on practical forms of energy". This is both a confession and a promise. The confession is there; where is the promise? No sincere attempt has been so far made to imbue the educated classes with the industrial spirit; no polytechnic institutions have been started; no great industries have been stimulated or brought to life; and there is no immediate or remote prospect of changing the character of the people from mere hewers of wood and drawers of water. It would be long to tell and sad to trace each step from ruin to disgrace; but the successful attempts of European exploiters in thwarting well-directed enterprises, as the Swadeshi Steam Navigation Company, are too recent to be forgotten. The report of the Industrial Commission formulating a definite scheme of reforms has only ended in the official organisation in London of a Stores Purchase Department which would be a standing reminder of the perpetual dependence of India on European

markets for even the essential requisites of the administration.

The function of a truly national government interested in the material well-being of the people, will be to coordinate and organise the resources of the country to the best advantage of the subjects ; but being the legal successor of a commercial corporation, the object of the bureaucracy has been to render this country a legitimate field for the industrial exploitation of capitalist junkers. Recent history teems with copious illustrations of the studied policy of killing Indian industries which has actuated the selfish traders of the west. There has not been a single field of industrial activity in which the country had not established renown even in the dark days of Moghul ascendancy and the anarchy that followed it. In fact that was what attracted the European adventurers to the country. In the field of textiles the skill of the weavers to produce delicate woven fabrics was recognised for ages ; and Professor Weber says that in the mixing of colors, the working of metals and precious stones, the preparation of essences and in all manner of technical arts, Indian skill from early times enjoyed a world wide celebrity. The iron industry not only supplied all local wants, but enabled the country to export its finished products to distant

places and Indian wootz or steel furnished the materials out of which Damascus blades with a world-wide reputation were made. It was used for cutlery even in England. The Tata works can hardly supply now a tithe of the local demand. Ship-building had reached such a state of excellence that the arrival in the port of London of Indian produce in Indian-built ships created a sensation among the monopolists which, says the historian, could not have been exceeded if a hostile fleet had appeared in the Thames. The cry of the shipwrights prevailed in dealing a death-blow to the ship-building industry. A deliberate endeavour was made to use the political power obtained by the Company to discourage the manufacture of finished goods. A high protective duty was imposed on the imports of manufactured articles such as calicoes, cottons, woollens and flowered or stitched muslins; and encouragement was given to the production of crude materials for the benefit of English competitors with the avowed object of thereby reducing the country to a state of abject dependence on foreign manufactures. Nowhere in the world could be found, said captain Townsend years ago, such contrast between the bounty of Nature and the poverty of man in the matter of iron industry and, other observers add, a number of other industries as well. The

political domination of India by England was nothing; it might lead to the dwarfing of the intellect or the mind; but the insidious attempt at revolutionising the whole organisation of the country from a highly efficient industrialised society into a mere producer of cheap raw materials for the subservient purpose of the imperialist exploiters of Great Britain, is the most damaging case for the immediate conferment of responsible government, truly and completely national in spirit and outlook.

The case for responsible government is therefore based not merely upon the sentimental consideration that other countries have got it or because a wave of political freedom is passing over the continents of Asia and Europe, but upon the more sordid consideration that it is absolutely necessary in the paramount interests of the moral and material upbuilding of the people themselves. These have got to be rescued from the emasculation of a century and a half which has paralysed action and corroded the springs of successful endeavour; and the intellectual hiatus that separates the wonderful achievements of their past with the glorious promise of the future has got to be filled. A nation has got to be welded out of the heterogeneous mass purposely kept in warfare and mutual recrimination and a homo-

geneous whole has got to be evolved for the peace of the world and the service of mankind. The rich treasures of their common heritage, temporal and spiritual, have been robbed away from them and a suspicious bureaucracy looks askance at any attempt to recover them. England has forgotten that it was out of the spoils of warring principalities that she supplied herself with the wherewithal for the industrial revolution that has made her the mistress of the seas and the mighty empire on which the sun never sets. Says the author of *The Law of Civilisation and Decay* : " Plassey was fought in 1757 and probably nothing has ever equalled the rapidity of the change which followed. In 1760 the fly-shuttle appeared, and coal began to replace wood in smelting. In 1764 Hargreaves invented the spinning Jenny, in 1774 Crompton contrived the mule, in 1785 Cartwright patented the power-loom, and, chief of all, in 1768 Watt matured the steam engine, the most perfect of all vents in centralising energy. But though those machines served as outlets for the accelerating movement of the time, they did not cause the acceleration. In themselves inventions are passive, many of the most important having lain dormant for centuries, waiting for a sufficient store of force to have accumulated to set them working.

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That store must always take the shape of money, and money not hoarded, but in motion ". It was the Bengal silver that arrived in time that increased the mass of money and stimulated its movement. And it is not till the bureaucracy meets its Plassey, vanquished by the victoriou sforce of nationalism, and responsible government reigns in its place, can India realise her destiny and take her appointed place in the great family of nations.

CHAPTER IV

THE CONDITIONS OF ITS SUCCESS

IN the able minute of dissent which he appended to the report of the Government of India on constitutional reforms, Sir C. Sankaran Nair had attempted to dispel the notion of his colleagues that the people of India had known no other form of government than mere personal rule and that any system other than that of absolute monarchy was repugnant to the genius of the Hindus. They might have been strangers to the arts of electioneering, the management of party cliques and all the other paraphernalia associated with modern democracy ; but that a republican form of government, akin in some places to the old Spartan system, prevailed in distant parts of the country, is now proved by historical research ; and that the mother of Parliaments had an Aryan relative in India, showing a strong family likeness, some six centuries before the birth of Christ, and that her descendants were a great power in the state at the time of the Druid progenitors of the Anglo-Saxon race, is now undisputed. It is unnecessary to quote European scholars who have explored this field of investigation as the evidence is fast

accumulating to show the survival, till so late as the pre-Mahomedan period, of vigorous republics both in the organisation of the village and cities of considerable dimensions. The genius of the people lay in taking an active part in the administration of the country, if possible with, and in many places without, the impediment of monarchies. The only difference lay in that, whereas in England freedom was wrung by rebellious barons at Runnymede, from an unwilling sovereign at the point of the bayonet, it was the free gift of the intellectuals to the people at large in India and designed, as E. B. Havell says, "not in the interests of one class, but to secure for all classes as full a measure of liberty and of spiritual and material possessions as their respective capacities and consideration for the common weal permitted". That these bodies had and exercised powers of controlling and even deposing kings, is the highest tribute that can be paid to their sagacity and political instinct, which a perverse bureaucracy now denies us with crediting. The old tribal assemblies which still subsist across the north-western frontier continue to exercise the right of settling questions of war and peace and show that the spirit of popular government had not died even when the British government took possession of this country.

That we have fallen from that high estate has to be ruefully admitted ; but do we lack the essentials for running a popular form of government on the western conception of the term ? The Montford report deals with the conditions that encompass the successful formation and working of democratic institutions and they have been repeated and amplified by the spokesmen of the government in the Legislative Assembly, whenever the question arose for a further revision of the constitution. They have, of course, been severely left alone by Lord Birkenhead and that is but natural. It is an article of faith with the insurgent Tory that the only people, whom Providence had instilled with the instinct of democracy, are the chosen children of the Angles and the Saxons : even the mixture of a little Celtic blood in their veins would put them on the list of the unfit. It must follow to his conservative logic, therefore, as it did to a certain prominent philosophic radical, that in asking for parliamentary institutions the Indians are only asking for the moon. If his Lordship has refused to be inveigled into a disquisition as to the political capacities of the people in his charge, he has said enough in his rambles to survey the difficulties that lie in the carrying out of experiments which other people have only more loudly proclaimed. He has

endorsed the view in respect of the diversity of interests and sects and classes and the more pronounced antagonism between the two great communities of the land. He has referred to the "terrible and poignant" condition of the depressed classes, the protection of whose interests is in the special charge of the bureaucracy, since, at all events, the Montford reforms came into operation. He has also referred to the teeming millions of voiceless people who know nothing of the reforms, of the constitution or the Councils and no superior servant of the Sirkar than the village patel or the patrol constable. The facts are repeated ad nauseum by high and low as if they are conditions peculiar to this country and observable nowhere else in their early struggles for survival or continued agitation for existence. It is needful therefore to make a preliminary survey of the political conditions that are held forth as impeding the road to parliamentary government and appraise their real value.

I

The most outstanding question is the recent misunderstanding between certain Hindu and Mahomedan leaders who have fallen out on the two questions of cow-killing and music before mosques—questions which would seem to be too pernicious to divide two great peoples into opposing

factions. There is also a growing cleavage, between the Hindus and the backward classes, on the question of representation in the legislatures and the services, in which the latter have common cause with the Mahomedans. That this difference is the outcome of the awakening sense of the respective communities that they have lagged behind in the race of life, stands to reason ; and that, if time is permitted free play, it will solve them as they arose, would be clear to those who do not want to use the differences for baser political ends. As it is, one need not underrate their influence or shut his eyes to the consequence, which is the probable paralysis of national endeavour for the common advantage of both. Whatever the reason or the justification for the acute development of the differences, are they of such a kind that they must necessarily impede the working of parliamentary government on approved lines ? Does history provide any parallel to political institutions decaying for want of common understanding on the part of those who are deeply committed to working them ? The history of Great Britain and Ireland would seem to afford a clear lesson as to the hopeless impossibility of religious intolerance and persecution ever leading to the decadence and overthrow of parliamentary government. The persecution of the Catholics by the Protestants,

of the Jews by the Christians, of the Non-conformists by High Churchmen has filled an ample page in the spacious history of British freedom ; and to-day with complete tolerance of religious thought and action as an irrevocable motto, the Prayer Book has provoked an exchange of compliments between the combatants recalling the days of Cranmer and his faithfuls. Jicks and Birkenhead, members of the same party and ministers in the same cabinet, have complimented each other in a manner which the Hindu-Mahomedan controversialists have quailed to use of each other. The racial feeling never more bitterly sundered communities than it did in Canada a hundred years since. Says Lord Durham in one of his reports : " What may be the immediate subject of dispute seems to be of no consequence ; so surely as there is a dispute on any subject, the great bulk of the Canadians and the great bulk of the British appear ranged against each other. In the next place the mutual dislike of the two classes extends beyond politics into social life, where with some trifling exceptions again, all intercourse is confined to persons of the same origin. Grown-up persons of a different origin seldom or never meet in private societies, and even the children when they quarrel, divide themselves into French and English like their

parents". And what were the mighty themes that so divided them? The report continues : " Such a sentiment is naturally evinced by trifles than by acts of intrinsic importance. There has been no solemn or formal declaration of national hostility, but not a day, nor scarcely an hour passes without some petty insult, some provoking language, or even some serious mutual affront occurring between persons of French and British descent".

It would be mere supererogation on the part of an Indian to talk of the ill-success of parliamentary government in Canada ; for there has been no such ill-success as is predicted of India by reason of the divergent views the articulate section has matured on some trifling questions. In real life it is, of course, trifles that matter. The success of the Canadian experiment shows, however, that parliamentary government is the best solvent of sectional differences and religious acrimonies. Is the racial feeling between the Hindu and the Mahomedan or the Brahmin and the Non-Brahmin so bitter here that grown-up children seldom or never meet in private societies and the younger ones copy the example ? Far from that being the case, there is really no desire to keep alive the embers of class-hatred or perpetuate racial animosities in the areas where they exist. Not

a week passes without some earnest efforts being made to compose differences if not completely overcome them. The Lucknow pact with all its defects was the basis for the constitutional proposals of Mr. Montagu and the Bengal pact that followed it seven years later brought peace to that sorely afflicted province. The unity conference of last year was a sincere gesture of both the parties to abandon mutual recriminations and start on a common career of peace and goodwill. These periodical attempts, even if they should fail, indicate the clear perception of the need for amity and concord ; and when the combatants make an approach in a spirit of hopeful augury, there can be no long delay in the journey's ending. The fire of mischief may be kept alive by disappointed leaders or disgruntled toadies ; it may even be kindled by the purblind enemies of virulent nationalism. But such determined efforts as have been made ever since it manifested itself in furious outbursts, must sooner or later help in putting it out. The recent split among the Moslems which ended in the celebration of two anniversaries of the League Conference, one in Calcutta and another in Lahore, is indicative of thoughtful approach to the solution of the problems that confront them in place of blind adherence to the formula of opportunism and racial hatred.

The essence of popular government is mutual respect of one another's feelings and opinions and individual liberty of thought and action. The limit to the exercise of that liberty is measured by that enjoyed by his neighbour and within that limit one has free play for the exercise of his whims or fancies. A recognition of this fundamental principle would have long since solved the problem of the cow and the music. If the Mahomedan considers that the killing of the cow is the only ordained route to heaven—the cow is killed more for the value of its hide than to secure a passport to heaven—his undoubted right is controlled by his inherent obligation to respect the feelings of his Hindu neighbour, who regards the cow as his God, and make his sacrifice in the least obnoxious way to him. He owes it to himself as a citizen and a servant of God to do his penance in a manner least provocative of the religious susceptibilities of his neighbour. And similarly, if the Hindu considers the playing of music an essential part of his social functions and religious ceremonials, he has equal right to satisfy his taste in a manner least objectionable to those engaged in the concentrated purpose of religious worship. Not only the right to exercise the freedom of his action, but even the ordinary demands of decency and good breeding, require that he

should leave undisturbed the pious communion of the soul with the Almighty at all hours of the day or night. Such an understanding of mutual tolerance can only come of the proper realisation of the meaning of liberty. Liberty is not a commodity which can be purchased in the market or hired for a song. It is a process of involution, the painful result of a struggle between the animal instinct of the body and the eternal repose of the soul. It has got to be patiently acquired and severely disciplined. It expresses itself among those who have acquired it in a number of ways ; in social toleration, in mutual agreement to differ, in the freedom of religious worship, in the subordination of individual views to that of the majority and in peaceful arts of persuasion. A popular government is the best nursery for its growth ; and who can say that the social tyranny and racial intolerance that met their grave in the commonwealth of Canada, yet working in a milder form here, will have a promising voyage in a commonwealth of India ?

The question of the services brings the issue down to a more mundane world and reduces the difference in terms of pounds, shillings and pence. As narrowed down, its advocacy cannot be said to be placed upon a truly altruistic basis. It is hardly pretended by its advocates that the

services should be constituted into menageries of the halt, the lame and the blind ; and if the principle is sought to be enforced among the dissentient members themselves, the realisation of the absurdity would be brought home to them with singular poignancy. In a tripartite fight between an inefficient Mahomedan, an inefficient Non-Brahmin, and an inefficient Adi-Dravida for a single situation, there will have been found a valid answer for the claim of efficiency as an assured test. The sufferers from an administration run by privileged incompetences will be the very persons who now want to rule the roost. The domination of a particular community has after all been an accident ; and how long will that continue in the ardent endeavours of the neglected to qualify for the prizes of citizenship ? The craze for service has been the product of a calculating bureaucracy which has reserved the richest prizes of life to the members of its coterie. It was prepared to eat the humble pie and withdraw its opposition to the reforms if its worldly goods were improved ; and in its endeavour to pique the politician it was even prepared to pay a price for native labour far above its market value. The "Lee loot" and the inordinate enhancement of salaries in every branch of the administration have diverted saner minds from the more substantial to the more showy walks

of life, to the quill and the harness of the office table. It was a perverse violation of the fundamental principle of running the administration at a cost which is not much above the market rate ; and its object can only be to create a camaraderie among the services as suc , irrespective of race or creed and set them up against the hordes of non-service malcontents. A popular government may not be guilty of such follies ; but where does the impediment to it come in if it pays the proper price for the commodity and places the scales even ? The scramble for pelf and power will have lost its force, if there was not a treasure-trove to be dug out of them ; and the agitation for proportional representation will have lost much of its charm, if men were only made to know that it is not worth their while. As an obstacle to the progress of popular government, however, the problem has few terrors.

On a different footing is the problem of minority representation in the legislatures. " Minorities must suffer, it is the badge of their tribe ", said Augustine Birrell once ; but much water has flowed down the Thames since then. Their rights have come to be organised and safeguarded in every European state which has been formed or transformed by the Treaty of Verseilles and to the League of Nations is left

the special protection of the stipulations in respect of their treaty rights. The limitations to which the claims of minorities are subject indicate the length to which European opinion is prepared to go. The recognition of the principle of equality made in them, irrespective of race, language or religion, has found a place in theory at least in the great Proclamation of 1858. The facilities for the use of their own language in commerce, in religion and in court are ample; and no restriction is placed on the study of the languages in public schools. The minorities receive more than an equitable share of the sums provided out of public funds for educational purposes. They may not share in the grant for religious or charitable purposes as immemorial custom has till now imposed a stern restriction to the purposes for which they have to be utilised. Barring this one exception, the rights reserved for, and to be preserved by the League of Nations, for the benefit of the minorities have long since been anticipated in India. It is singular that no right is recognised in these minorities treaties for proportional representation in the legislatures or the services and no provision is made for any racial, religious or linguistic representation in other public bodies. They are rights of common citizenship to be enjoyed by every member of the State whatever his

racial, religious or linguistic complexion. And that was similarly the case in India till Lord Minto succumbed to the temporary needs of the hour. The bureaucracy at all events who egged him on to this political monstrosity, have no business to cry wolf, having themselves started the menace. The problem is not incapable of solution if there should only be a proper adjustment of the eye-glass. A little spirit of give and take, a bit of fairness, and a determination not to convert minorities into majorities or vice versa—these are all the things required to make popular government a success on the tried European sense of the term.

The most touching and appealing obstacle to parliamentary government is the moving figure of the lonely ryot. He toils and moils from dawn to dusk and from dusk to dawn in a few acres of sunburnt soil, which is all that stands between him and starvation. If the monsoons favour him, he just manages to scrape a meal a day; and if they fail, he starves and dies, not in his thousands, not in his tens of thousands, but in millions. He knows nothing of the world, nor aught of the little horizon beyond. His contact is only with the village money-lender to whom he pawns his produce in advance in good season and in bad. He is inarticulate and voiceless and the district officer is his beau-

ideal of a paternal government, his veritable Messiah on earth. To him he sends his petitions in humble duty whatever he wants ; and he wants but little here below, nor wants that little long. He knows nothing of the vote or its value and in the game of political education he must be saved from being made a pawn. A very good picture and true. But where all this comes in one fails to see. If the ryot is a seething mass of inert, lifeless human beings, who is responsible for it ? Do we not owe it to the benevolent attentions of the Sirkar, who have deprived him of even his little morsel of food in obedience to the inexorable demands of an economic heresy ? His poverty and wretchedness, the low standard of his life and comfort, the cheerless prospects of his worldly outlook, the difficulties that beset him in his daily round, and the impossibility of satisfying his very human needs, he owes to his patient endurance of the bureaucracy. If the village wells are waterless, the huts roofless, the roads rutty and insecure, the streets full of squalor and feculence, the common a dreary waste and his own land an overgrowth of prickly-pear, he owes it not to the political agitator ; but to the hierarchy of officials who keep his conscience for him. This he realises and though he has been till now unfriended, melancholy and slow,

his pathetic contentment has been disturbed by the new era that has dawned. In the representative of his own choice, he has a sympathetic guide, a chosen friend, a fellow sufferer ; and he would be less than human and more imperfect than he is, if he failed to trust in him and his beneficent intentions. He does not want a symbol of power, an exacting tax-gatherer—and these the instruments of government have been—but a kindly face to cheer and confide in. And where can he have it save in the revival of a popular government, of which he had but dimly read in the tales of folk-lore or the songs of his saints ?

II

After the passing of the Reform Act of 1867 a noble lord was reported to have exclaimed, "let us now educate our masters". That Act added a million voters to the electorate mostly of urban labourers. The condition of education at that time was so hopeless that an Elementary Education Act was passed three years later to qualify the voter for the exercise of his franchise. Responsible government had, of course, made considerable advance since the days of Walpole, whose policy that every man had his price had made history. The tone of moral elevation it indicates, was perhaps no worse than what pervaded the contemporaneous period ; but if in

the middle of the nineteenth century less than twenty per cent of the children of school-going age could read the Bible or had learnt to write and only two per cent knew arithmetic, British statesmen could only be presumed to have held that there was no correlation between the general education of the school room and the political education of life. "It is impossible to exaggerate the want of education among the inhabitants", wrote Lord Durham of Lower Canada when responsible government was conferred upon it; "no means of instruction have ever been provided for them and they are almost universally destitute of the qualifications even of reading and writing". The situation was no better in other colonies which, in their initial stage drew for their inhabitants mainly from the riff-raffs and do-nothings of European capitals. The state of education among Europeans was so backward in the Cape Colony that when responsible government was offered to it, the chief officers of government in that Colony submitted a memorandum deprecating its introduction. Everywhere popular education has followed and not preceded responsible government, for the simple reason that the new liberty calls forth the best exertions of men and women and impels them to put fresh energies into fields outside the ordinary avocations of

life. The press and the platform, even the extension lectures of the universities, stimulate and kindle the love of learning, and the longing to share in the arduous responsibilities of citizenship, acts as a powerful spur to cultivate the mind and broaden the intellect. There is nothing therefore in the new dispensation to alarm the wary and the cautious or spell disaster from the grant of franchise and the upsetting of traditional modes of government.

The success of parliamentary government certainly connotes an identity of views and purposes between the electorates and the representatives which can only be ensured by intelligent appreciation by both of the issues involved in political controversies. It would undoubtedly be an ideal state of things if the electorates take a lively interest in the work of their representatives and exercise an unremitting watch on the disposal of their votes. That as near an approach is made to it as possible in the civic affairs of every corporation is now only too clear. Despite eloquent pleas from every quarter to keep municipal problems above party strife, they are the first to feel the impact of the new spirit. The reason is apparently the fact that it is there that an element of freedom has long been introduced and the questions more intimately

touch the daily life of the citizen. A similar spirit is sure to develop in the legislatures as well, as they are made dependent upon the responsible vote of the elector. The spread of the vernacular press and the activities of the itinerant agents of rival claimants for the suffrage, must have an inevitable reaction on those whose confidence is so strenuously sought. Englishmen have made it possible to work a representative system in spite of their disregard for abstract generalisations. "They are careless about measures and much more particular about men", says Sir Sidney Low. "Attachment to persons rather than fidelity to principles is the spirit of our party life". The splendid author of *The American Commonwealth* pays no compliment to the British voter when he says that "in elections the spirit of party or class, and the combative ardour which such a spirit inspires, cloud the minds of many voters, making them think of party triumph rather than either of a candidate's merits or of his principles. A large percentage of the votes are given with little reference to the main issues involved. It is the business of the managers to froth up party feelings and make excitement do the work of reason". And what of the main issues that divide the parties? Of the politics of the United States some one had declared that they may be

compared to empty bottles into which any liquor may be poured so long as the labels are retained. A familiar note is struck by Professor Hearnshaw in the following : " Widely as the two parties have differed from one another in attitude and policy, they have also had much in common and they have recognised the validity of the same political axioms and postulates and have held congruous opinions on matters of vital importance".

Attachment to persons instead of policies, to parties instead of principles is not after all a vice deserving of unmerited censure. The slogan has not unoften been heard that whether the Conservatives or the Liberals are in power, it is the Russells or the Cecils that rule. It may not prove that a governing caste in England is a necessary fixture of the constitution ; but it impresses on us the lesson that politics is becoming a more complicated affair than in olden times and one cannot pay too much devotion to its studies. In every department of government expert knowledge is becoming imperative and even the politician has to specialise. It would be a hopeless thing altogether, though eminently desirable, for every voter to have a view on every problem as it presents itself ; but he can only console himself in the knowledge that his representative will

think it out for him. So has history been made. On a bare act of justice as the grant of self-rule to Ireland the British voter could not make up his mind for nearly half a century even after Gladstone's conversion ; a great political party was cut in twain, and more idols were broken than on any single political issue. Popular education had to be carried on for the life time of two generations, though to-day statesmen are astonished why there was so much fuss about it at all. Such questions, however, as free trade or protection, on which the Unionist party was split, present issues of such a far-reaching character that few among the electors could be expected to give a reasoned mandate to their representatives. On the question of the reversion to the gold standard, not one in a thousand could have had settled convictions. And yet when problems like these arise, the hope for democracy lies in the intellectual aristocracy of the day. It supplies the real power behind the throne, the thinker, the propagandist, the instructor of statesmen, if he is not himself in the fighting line. By his past conduct, his reputation, his public service, and the character of his life, the politician holds out the promise of a dispassionate consideration of every measure of legislation, and direction of public policy ; and the voter has

simply to trust him. On such questions as tariffs, taxation and public finance, let alone questions of policy leading to war and peace, he can only be guided by those in whose sagacity, patriotism and high purpose he has unbounded faith. Otherwise modern democracy can only share the fate of the ancient democracies of Greece and Rome.

It is no disparagement therefore to those engaged in the formation of political parties in and outside the legislatures that they take on hand the education of the voters according to their particular tenets. An intelligent appreciation of the gravity of the issues being all that is needed and possible, the political character of the candidate who seeks the suffrage, becomes a matter of supreme importance. These are the days of scientific tariffs, of class war, of communalism. Conflict between landlords and tenants, capital and labour, the employers and the employed, the producer and the consumer, present themselves in diverse shapes. On all these questions much may be said on either side; but unless there is reciprocity of sympathies between the constituents and their candidates, there would only be deadlocks within and disturbances without. They can be solved or complicated as the character of the candidate is irreproachable or otherwise.

Political partisanship is said to be still in a state of infancy in India ; and yet the division of opinion on some economic questions is graver and more acute than in European countries. To mention only a few, the plea for the sixteen penny rupee is said to have been deliberately made by its partisans on behalf of the capitalist interests of Bombay ; and the retort is also made that the higher rate has been voted for by those who are chiefly interested in European trade. The subsidy to the steel industry is said to have been engineered by the shareholders of the Tatas ; and even the very vetoing of the Malabar Tenancy Bill is traced to the influence of the Jenmies. Such charges are likely to be repeated with increasing emphasis if the character of the statesmen and of the organisations behind them is not like Caesar's wife above suspicion. The differences, however, show the immediate prospect of the emergence of distinct parties with irreconcilable views on the political and economic issues of the hour. The wooden uniformity of anti-bureaucratic opposition is rapidly giving room to divergent schools of thought and as the burthen of responsible government comes to be shouldered with a genuine prospect of changing places between the Treasury and the opposition benches, the grouping of parties

based upon fundamental differences is sure to be hastened.

Is the party system after all the best type of government and are we likely to eschew the debasing excrescences that surround it in the west? That it stifles individuality and makes the member a machine to vote according to the ticket issued by a caucus; that it stereotypes opinion leading to a mechanical cohesion of various principles and ideas brought together for a certain end; when it is achieved, unites in a superstitious respect for forms, in a fetish-like worship of the party, and establishes a moral mortmain over men's minds; that it reconciles contradictions by rhetorical artifices, masterpieces of shuffling and humbug; that it throws overboard received morality, agrees to all kinds of discreditable transactions and accepts cooperators and associates of every description—these and similar charges are levelled by those who have been deeply impressed by its seamy side. There may or may not be justification in all that westerners say of what goes about them; and they should know. Discipline is apt sometimes to develop into tyrannies and if the rank and file abandon themselves to the uncontrolled sway of party agents, the responsibility is not entirely on one side. It is as much due to the lack of self-respect and

determination on the part of the victims as to the power of the party purse and ought to be overcome by the will to be freed from the incubus. The iron discipline of parties was broken by four determined men who did not care to be bridled to the party yoke; and they formed the Fourth Party. Even if that should be impossible now, the dissentients can make themselves sufficiently uncomfortable to the agents if they want to. The measure of their bondage is the measure of their sufferance. That public men have survived these tyrannies and crossed the floor of the House with credit to themselves and with the respect of their fellowmen, is evidence of the looseness of the discipline of which so much is said. If time did not dissipate the angularities of the party system, representative government would not have been the success it has been in the west; and that the Septennial Act was uniformly a dead letter shows that it was too long a period for party discipline to survive. It is too early in India to think of its rigidities with parties yet in the making. Not only time but even distance may help in softening them more than we might fear.

CHAPTER V

THE TYPES OF GOVERNMENT

IF responsible government is a matter of immediate concern and not a goal to be leisurely reached, it is necessary to consider the relevant changes that have to be made in the existing constitution so as to attain it with the least possible friction. The difficulties of improving the Government of India Act towards that end have apparently been found by Lord Birkenhead to be insurmountable ; otherwise it is impossible to conceive the object of his insistence on public men preparing a draft scheme for the approval of the British parliament. Among the reasons for the premature appointment of the Simon Commission, we do not find the absence of response to his repeated calls for such a draft prominently mentioned ; but even in his speech commending the personnel of the Commission to the House of Lords, he renewed the demand and called upon the select committee of the central legislature to propound a scheme for consideration—and rejection : an unhappy conjunction of a probable sequence of events in a carefully thought out speech. The challenge has been

taken up in right earnest and three schemes were placed before the last session of the Congress, two by its ex-Presidents and one by the outgoing Secretary. Two other schemes were already in the field, one by that tried friend of India, Dr. Annie Besant, and another by the Independent Labour Party; and they were evidently ignored by his lordship as they had no Indian sanction behind them. It is needless to speculate as to the fate of these efforts at his hands. From his present temper and his splendid isolation of the happenings in this country, it should be surprising if he did not compare the authors to the proverbial three tailors of Tooley street and consign their schemes to the waste paper basket. The Congress at all events in the confusion of the issues confided them to an esoteric circle of its members, whose unanimous report has been received with universal acclaim.

One cannot too strongly emphasise the need for circumspection as constitution-making is not a child's play. A constitution cannot be made for the purpose of being repealed. A perusal of the schemes already adumbrated shows that, to the variety and contrariety of the methods of approach, is added a reproachful admonition that any attempt different from what the exponents have evolved after considerable

expenditure of time and thought must lead to dismemberment and decay. The two European schemes are based upon a federal system after the American and the Colonial model and with certain modifications the outgoing President of the Congress and the Secretary recommend the same system. The Nehru report shows considerable skill and book learning with a decided preference to the federal system. But a far different note is struck and an antithesis of federalism is developed in the third of the schemes that arrest our attention. In no country has the battle of governments been as exciting and prolonged as the battle of the standards; the machinery of administration cannot be delayed in the making as the commitment to a definite monetary policy. Pressed by the exigencies of the hour, no constitution-maker has set himself to the task of evolving a scheme with a manual of political science in hand. We in India are not in such a hurry. With the experience of other countries before us, we can evolve our own in a leisurely fashion. A scholastic fervour has therefore to be discerned in their advocacy, the more so because there is a general indifference as to the exact lines on which the existing system will lend itself for improvement. A strong central government has emphasised the

ties of energetic nationalism, whereas a partial autonomy in the provinces has not developed provincial particularism to any marked degree. We are on the parting of the ways, and without putting the constitution on the melting pot, either type can be built on its modern foundation. A new scheme can safely be grafted on the old without danger to the parent stem. A unitary type recalls the genius of our own past, the fervent example of certain European countries ; and a federal type is a faithful echo of the United States and the prominent British colonies. Of authorities on either side one need only say that there is plenty. Federalism would cancel the great mission of Italy in the world, said Joseph Mazzini ; but to his Indian prototype a unitary democracy is an immoral concentration of power. The view-points could not differ more widely than in the expression of the purpose each type of government is expected by its exponents to serve especially in this country.

The precedents of history invite us to place less reliance upon them than on any other political experiment. Few countries can afford an analogy to the politico-ethical conditions that obtain in India at present. For one thing, we have a constitution so-called well and truly laid ; we cannot wipe it off and write as if on a

clean slate. For another, say what we may, we shall have to submit our programme to the monitory revision of the British parliament. These two impediments did not stand in the way of the United States of America or any of the British colonies. In the case of France and Italy they deliberately chose a unitary type after fully weighing the chances of federalism, and their statesmen were not hindered by the oppressive hold of a paramount power to whom they were answerable. They realised that a strong and rigorous government at the centre was essential for retaining their place in the sun or otherwise they would be absorbed by the militant powers around. And they knew that federalism was not an expression of political wisdom, but the result of political expediency. Everywhere it had been forced by circumstances outside their own control and much against their wish. The union of the states of America out of a congeries of independent sovereignties, each of which surrendered by mutual agreement a part of its sovereign rights for the making up of the commonwealth, is admitted beyond doubt to be the product of a "grinding necessity"; and Alexander Hamilton did not fall a victim to the charms of federalism as such. It was the result of a fierce struggle between the centripetal and

centrifugal forces at work and not an edifying result at that. The two principal colonies that have adopted federalism do not feel happy in their choice. "The path of parliamentary democracy," says Professor Marriott, "has not been entirely smooth in Australia"; and a Canadian Premier has recently declared that "if we could agree to have one government and one parliament legislating for the whole of these peoples, it would be the best, the cheapest, the most rigorous and the strongest system of government we could adopt". England started on a heptarchy and her wise statesmen abandoned it after a time and the union of Great Britain gave her the necessary strength and vitality for the Greater Britain of to-day. With such examples before us and the fervent longings of federal administrations for a more concentrated and energetic form of government, the step towards federalism cannot be taken with a clear vision and a clean conscience.

Contemporary history issues sufficient warning as to the dangers of feeding fissiparous tendencies in state or in lesser organisations of man. The era of small efforts has gone and of big things has arrived in every human achievement. In the world of oil or steel, of railways or banking, of shipping or industries, the watchword of the day is cartels and combines.

World-wide international competition has been the parent of giant organisations for the simple purpose of survival. The strength of the strong and the cunning of the weak have been the invariable weapons in the ceaseless struggle for life, and the survival of the fittest has been the eternal law of the evolution of the universe. The divine ordering of providence and a moral force guiding the destinies of men and nations, may all be good for the pulpit and spare hour orations; but in practical life God has always been found to be on the side of the biggest battalions. That is the grand Napoleonic truth. What is applicable to the individual concerns of men, is equally applicable to the organisation of states and they cannot dissipate their energies and wills in useless endeavours to strengthen the extremities and ignore the centre. The key to the Indian frontiers lies in London, said Lord Beaconsfield; and it epitomises the truth that a strong government at the centre will take very good care of the things happening in the outskirts. A confederation of weak democracies, knit by no greater ties than economic sympathies, was found by Joseph Chamberlain to be incapable of resisting the commercial war he feared; and it required the military resources of the whole world and five years of unprecedented suffering and endurance to subdue the deter-

mined will of two small powers of Central Europe. And if Greater Britain sees the advantage of cohesion in imperial conferences, imperial preferences and conferences of imperial statesmen, they are only the outward manifestations of the growing conviction that, if the empire is to survive, the imperial resources must be pooled and coordinated for a common purpose. If the Munroe doctrine had preserved the commonwealth of Canada for a British possession and a commonwealth of Australia from a dependency of Japan, let us not altogether dismiss from our minds the possibilities of their discontinuance away from the region of practical politics. In the United States of America and Canada, the New World may yet have the realisation of its dreams ; and the establishment of an energetic government in China, after her cruel baptism of civil war, may yet divert the hopes of the yellow races to the vacant spaces in the southern hemisphere. The Singapore naval base is only an intelligent anticipation of the events to come. There is no greater federalism than Greater Britain and no weaker one.

Now, the most valid objection to a unitary type of government is that it leads to exploitation and wars. A federal democracy, it is urged, is a much better safeguard against the springing up of ambitious oligarchies, commercial or

militarist. It is claimed to have at its roots the largest possible justice, freedom and equality and to be peculiarly appealing to the geographical, racial and cultural equipments of Asia. That a federal democracy necessarily cultivates a higher sense of international morality, truth and justice than a unitary democracy, it may be hard to illustrate by the example of history, past or contemporary ; but the changes of commercial or militarist oligarchies springing up in its midst are as great in the one as in the other. The greatest commercial oligarchs of the century are the children of the American soil and if side by side a military caste had sprung among them, combatant Europe would have looked before it leaped. But the ardour of militarism has shown no abatement in federal America as her latest naval policy shows. The first stone in disarmament has not been laid by the United States, nor may it lay the last ; it has reserved to itself the fullest right to decide its own requirements and Europe has acquiesced in it. Without breeding a military caste democracy may yet be prepared for war ; and there is no wrong in it either. The wrong is in shutting one's eyes to the fact and refusing to realise the obvious. To be prepared for war is certainly not to provoke it. The militarist may be the greatest enemy to the peace of the

world ; but one greater than he is the pacifist who invites attack by his very unpreparedness from the international free-booter. The League of Nations is not the first attempt in European peace-making, nor may it be the last ; and the map of Europe has been changed far more than one cares to count. If democracy is the greatest safeguard against the unprovoked aggressions of warlords, federalism can only supply a belated break in its defence. It took four years for the United States to send her first contingent across the seas and it was possible for England to do so in twenty-four hours. That is the difference between federal and unitary democracy in striking the blow for a just and noble cause and striking it effectively.

The truth is neither an oligarchy nor an aristocracy is the sole vicegerent of Satan on earth. Wars and excursions are not made under modern conditions for the feeble purpose of satisfying a clique or a caste or secure kudos to the military gods. They are not fought for personal aggrandisement nor for the satisfaction of their earth-hunger. Their character is entirely changed. They are forced by economic necessities, by the supreme needs of human existence. They have for their sole object the very expansion of their soul and the securing of settled markets for their wares.

The "peaceful penetration" of the tropical regions, the extension of "spheres of influence" and the creation of "mandatory territories" have all a common economic purpose; and when one's attempt is obstructed by a rival competitor, the beast in man impels him to overcome the resistance. Wars are thus an inevitable result of the concussion of different peoples trying to elbow each other out of the limited space on earth which, perversely enough, refuses to grow with their growth. And if they have got to be prevented, it can only be done by the quickening conscience of the large body of men on whose behalf they are undertaken. An enlightened democracy under the guidance of patriotic and high-minded leadership alone can mollify the influences that make for war. An un instructed democracy, whether of the unitary or federal type, can but fall a prey to the hastening wiles of the demagogue. The remedy lies in the safeguard which democracy has provided for its instruction, a free press and an unlicensed expression of individual opinion. "Give me a corrupt House of Commons, a venal House of Lords, but a free press", said Sheridan, "I shall defy the world to pass a bad law". The power of the press in making the earth a fit place to live in or marring it, is unequalled; and it is the most potent instrument in the

formation of public opinion for weal or woe. Its function in slowly, silently and imperceptibly creating an atmosphere of peace and international good-will or poisoning the wells of suspicion and distrust, is unsurpassed. It is the peace or war mentality that matters and to the press and the natural leaders of thought, democracy will have to turn for proper guidance in the fulfilment of its destiny. Wars cannot be avoided if they want them, nor forced if they resist them.

The apprehension that a unitary government will be easily dominated by a caucus, internal or external, communal, political or dynastic, is as vague and groundless as the hope that a federated India will be a bulwark against their seductive influence. Frankly, it is based upon a mistrust in the efficacy of democracy. No constitution is worth having if it has not provided itself with checks and counter-checks; and the most substantial argument in favour of democracy is that there can be no place in it for the domination of cliques of any kind. If democracy is the expression of the will of the majority for the time-being, it cannot at the same time be the mouth-piece of any particular caucus. The moment the executive comes under the control of an exclusive body, party or society, it sheds its democratic character and stands exposed in the nakedness of an oligarchy. The

check, which a vigilant public opinion provides in and outside the legislature, must be a sufficient corrective to its waywardness and irresolution. If public opinion is not vigilant and the legislature is not alert, democracy will have degenerated into a meaningless symbol of indecision and cant. A living electorate presages a responsive executive ; it can hold its power only as long as it retains the confidence of the legislature. There can be no room for a caucus in a true and effective democracy and especially in a country divided by sectional, communal and racial antipathies of a sort, a secular democracy is sure to be too careful of its enemies and too zealous of its rights and prerogatives. It cannot for the sake of its very life let its watch grow faint and its hold feeble. What is really apprehended is more likely to fruition in a federal democracy which, having dispersed its energies and devoid of a concentrated purpose, may easily permit itself to be led by the nose by a handful of tall poppies. With its attention distracted by state, inter-state and commonwealth problems, a federal democracy may often find itself in a quandary. A unitary democracy may go wrong ; but it can right itself much more quickly.

An advantage peculiar to a unitary type of government is the vigilant help and cooperation

it can invariably command from the limited class of intellectuals who dominate the political voice of every country. The men who take a living interest in politics, apart from the general attention it is incumbent upon the citizens of a political organism to pay to it, are always few and the best may be counted, if not in one's fingers' ends, certainly within the neighbourhood of the actual requirements of the time. The importance of implementing the service of these men to the cause of democracy cannot be too strongly emphasised. Their attention cannot be divided between constituent states and the commonwealth organisation without jeopardising the cause of either. This is by no means a vague or uncertain fear. Especially among a people with whom politics is not a passion but a passing phenomenon, divided interest is synonymous with decadent interest. It is a contingency which must decidedly be avoided. The problems of an imperial character have a stronger hold and a more bracing effect upon the imagination of the politician than those of a parochial character and the chances of the more prominent men confining themselves to the government of the confederacy, resigning into the hands of ambitious amateurs or scheming professionals the administration of the provinces, are increasingly great. A dominant caucus

may be prevented at the centre; but the extremities will swarm with them. It is singularly demonstrated in the case of the United States where, in spite of the identity of the aims and principles of the two great parties that compete for the suffrages of the electorates, the best talents have been attracted to the Congress and the Senate and the constituent states are run by men of comparative mediocrity. In place of patriotic intellectuals and high-minded statesmen, the provincial administrations will be managed by latent reactionaries, aristocratic noddles and intellectual nin-compoops, a desideratum which will not be welcomed by any.

This leads us naturally to the general desire which is said to consume the passions of the people for full provincial autonomy. It is a mighty shibboleth on which much has been said since the days of Lord Dufferin; and its significance has been endorsed by the Montford reforms. The introduction of partial autonomy in provincial administrations by the device of dyarchy has given an impetus to a movement which had already tickled the fancies of local celebrities and had begun to satisfy the craving for power of titular leaders. The blind partisanship in its favour has gone the extent of coupling the advocates of a strong, central government

with those who deny us our freedom. The reason that full provincial autonomy will at least ensure responsible government in the provinces till the attack on central government develops into a success, may be dismissed as being based upon an inadequate appreciation of the fundamental unity of policy which will always be the pole-star of every administration, British or Indian. The central government cannot long be responsible to the British parliament, the provincial governments being exclusively responsible to the Indian legislatures. The dual responsibility can at best be only a transitory arrangement. If the whole machinery of administration is to work on smooth lines, the responsibility of the executive to the legislature must be statutorily secured both in the central and provincial legislatures. The avoidance of conflict has been the cause of the growing rigidity of control which the central government has begun to exercise on matters formally relegated to the control of popular legislatures. It may be possible to divide details of administration into different compartments, but administrative policy cannot but be uniform in a poor country if only to avoid waste of public money. To take an ordinary instance of provincial borrowing, which is an index of full responsible government, the very time which

the provincial administrations may think of floating their loans in, may be the most inconvenient for a money market called upon to subscribe to the simultaneous floatation of a heavy loan by the central government. A coordination of policy would certainly be cheaper in the end though, if provincial independence is to be placated, the central government must give in or give cause to conflicting purposes with detriment to the ultimate advantage of the whole country. Full provincial autonomy is possible with or without a disfranchised central government, only if the spheres of influence are strictly limited to purposes which may not come into violent conflict with those of the central government; and the path of statesmanship lies in earmarking those fields of activities which would reduce such conflicts to the barest possible minimum, if not remove them altogether.

One of the chief dangers of autonomous provinces is the development of provincial or linguistic patriotism which, if a century and a half of British rule and the examples of enlightened democracies in Europe, have not contrived to completely wipe off the face of Indian politics, they have at all events endeavoured to keep under proper control. It is unfortunately permitted to raise its hydra-head

by shortsighted statesmanship. That it may lead to racial domination and indiscriminate persecution of the minority by the majority seems to be a just and reasonable apprehension of prospective sufferers by such artificial divisions. Without enquiring into the validity or otherwise of those apprehensions—they have assumed articulate proportions in the case of Sind—the merits of such a policy can be disposed of on the supreme question of cost. Unless it be intended to reduce these linguistic provinces into simple administrative agencies of the central government, the meaning of such linguistic barriers, as another instrument of human division, is not clear. There are at present two hundred and fifty one languages spoken in this country according to the last census and many of them of course are dialects of certain principal languages. Even if they should be grouped together, there are about a score of languages spoken by a million and more each. They are not clubbed together in a limited area, but are spread over distant provinces. For the purpose of forming linguistic divisions, they cannot be brought together and segregated in select tracts. For example, Western Hindi is spoken by a million each in Madras and Bombay, two millions in Bengal, three millions in the Punjab, twenty five millions in the Central Provinces

and Berar and by a smaller number of men in other provinces. Are we to carve six Western Hindi speaking provinces out of them ? Marathi is spoken by eight and a half millions in Bombay and five millions in Central Provinces and Berar , and if a province is made out of them, what of the three million Gujarathi-speaking people in Bombay who live side by side with them ? The two and a half million Kanarese in Bombay and the one and a half million in Madras will have to be given two provinces to suit their geographical position. The five million Oriyas in Bihar and Orissa may be clubbed with the million and a half in Madras ; but what of the Bengalis and Kherwaris who live side by side with the Oriyas of Bihar ? The fact is population has overspread the limits of territorial jurisdiction and, transcending the barriers of race and language, has found a settlement in odd places of the earth. The idea of cutting the country into so many fragments for forming administrative units for every homogeneous body of men—and there must at least be fifty administrations cut out of them—will be found in the end to be an act of supreme financial folly.

But finance seems to be the last of the things that disquiet men's minds in their crude attempts at administrative reorganisation. An

American critic had said that federal finance consists in robbing the weaker states for the benefit of the stronger ones. In a companion volume, *Aspects of Indian Taxation*, the impossibility of doing justice between the provinces in any scheme of federation has been discussed at length ; and it is enough to mention here that to invest every autonomous province, with all the paraphernalia of a self-sufficing governor's province, is to let loose upon a peaceful people an army of public servants which, if it may not result in bloodshed, will certainly result in considerable blood-sucking. A people must be given as little of government as possible ; and the worst of the bureaucracy has been that it is overgrown with the official weed. There is no more useful field for Eugenics to work than the Indian bureaucracy with its rapidly multiplying species. A federal democracy will be an unenviable replica of the modern system, perhaps with a few more offices thrown in for satisfying the needs of democracy. Partial autonomy in the provinces has already resulted in a needless addition to public expenditure, without corresponding return to the taxpayer, either in the shape of more efficient administration or enhanced comforts ; and a multiplicity of provinces will increase the burden to an alarming extent. If a

cheaper and a better way could be found, it would be the height of folly and unwisdom to throw it away because it fails to satisfy the political ambition of the demagogue.

The unconscious bias which constitution-makers have disclosed in favour of the exercise of normative jurisdiction by the central government or of residuary powers, is only a reasonable tribute which they pay to the inherent strength of the unitary type of government. The exercise of such a power may conflict with the principle of provincial independence in matters of legislation and taxation; but its reasonableness must be apparent to every one who is struck by the violent local storms unpopular measures are in the habit of raising when they are passed by a provincial legislature under the domination of a clique. That local legislatures are open to such attacks is amply illustrated in the history of our own times, when local passions have been stirred to their depths; and they will have abated considerably when the central legislature takes up the question in hand. Normative jurisdiction is not likely to be exercised often, but only when the interests of the commonwealth require them: but the exercise of residuary powers is a statutory subtraction from the bundle of rights that make up for autonomy. Provincial autonomy under such conditions simply

with the fiscal policies of the suzerain power they are intimately connected. They have in most places the same educational system and by reason of it have created among them an identity of national or imperial outlook. They may not be of equal importance, some of them comprising of the ownership of only fifty acres, and are of varying degrees of political power and development. Their relations with the paramount power have also been established by treaties independent of each other. All the same, they come under the influence of a single political department in charge of the Viceroy, except in those few cases where they are placed under the charge of provincial rulers. A common purpose may be said to run through the policy governing the political relation of these States with the suzerain power. And the question has therefore assumed importance as to what is to be their place in a self-governing India, when the centre of influence will have gravitated from the representative of the Crown to the representatives of the people.

I

In considering the problem we have necessarily to distinguish between the rights, privileges and prerogatives personal to the rulers, and those appertaining to the subjects. With the former the princes seem to be more

immediately concerned than with the latter. They may protest that there is no such severance of interests between them and their subjects ; but that is only an expression of their wish and not an ascertainment of actual facts. Between picnic and polo most of these princes divide their times and perhaps the nature of their education and training supremely qualify them only for such pastimes. It is unnecessary to apportion the blame between the paramount power, which has had the responsibility for their upbringing, and the surroundings of an oriental court ; but those princes who have not the cash to spend all the seasons of the year in European capitals, in the boulevards of Paris or in the Savoy in London, manage to keep themselves engaged on the turf or occupied by the more manly sports. Even where a sort of orderly government has been evolved after the manner of the East India Company, the evident symptoms of a constitutional monarchy are not forthcoming. The essentials of a civilised and progressive government are well-known to them ; most of the princes, who have travelled in European countries, know them by personal knowledge and experience, and others have certainly read them, heard of them, or seen them by their own eyes from what goes in the neighbouring British provinces. And yet how

many of them have a civil list provided for themselves and their family and restrained from treating the revenues of the state as their own private property ? In how many is the judiciary independent and the public services are recruited from merit and qualifications ? In how many again is the freedom of the press and the platform in vogue and the executive made responsible to the legislature ? The rulers have the unique advantage of knowing and appreciating the feelings of their subjects and the constraint which a foreign nation might ordinarily feel in taking them under their confidence need not be felt by them. They have also been furnished with the services of men experienced in the art of administration and lent to them for their especial benefit. With their help and cooperation they could have, if they had cared, revived the ancient self-governing institutions, beginning from the village panchayats, which are the pride and boast of eastern polity. But in the matter of political progress they have not shown themselves to be alive to their responsibilities and not half as keen as in securing recognition of their personal rights and dignities from the paramount power. The main interests of the rulers therefore differ from those of their subjects and may even be found to be in conflict.

So far as the matters that personally affect the dignity and status of the ruling princes are concerned, they are at present under the charge of the political department of the Government of India ; and a self-governing India will have no disposition to interfere with them or take them over from the charge of the representative of the King-Emperor for the time being. For the simple reason that democracy has no love or respect for salutes, ceremonials, precedence and dignities, it cannot think of wasting time or thought over such tinsel symbols of mediœval autocracy. A far greater power affecting the rights to succession has been expressly assumed by the British Government and Lord Reading has laid down that, apart from treaty rights, no succession to the musnud is valid, unless it is recognised by the King-Emperor and that the British Government is the only arbiter in cases of disputed succession. It means nothing else than that the political department has an uncontrolled voice in this matter and its decision is final. In respect to these and other matters touching interference with internal administration, there appears to have grown round the treaties a body of case-law which lies buried in the archives of the Secretariat and which has got to be ferreted out to find the extent to which the spirit and letter of the

obligations under the treaties have been impinged upon by the government. That they are constantly curtailed by the exercise of the paramount right of the Government is the gravamen of the charge of the Ruling Princes, who have had their status reduced from an international to an imperial level, the process being veiled, as Professor Westlake says, by the prudence of statesmen, the conservatism of lawyers and the prevalence of certain theories about sovereignty. The Butler Commission, appointed to enquire into these and similar matters, may succeed in throwing light upon some of the dark corners in the history of the political relation between the Government of India and the Native States. Whether they succeed in stereotyping existing practice or, making every allowance to the progressive needs of the times, simplify, standardise and codify it, cannot be stated at present. The case for the Ruling Princes will not at all events suffer in advocacy, they having briefed a prominent member of the English bar to collate the necessary facts and place them before the government.

The one matter in which the British Government have reserved power of interference necessarily evokes sympathy and it cannot be denied by reason of the development of responsible government in British India. Lord

Reading laid down another principle in token of the supremacy of British sovereignty that, when the imperial interests are concerned or the general welfare of the people of a State is seriously and grievously affected by the action of its government, the paramount power has the ultimate responsibility of taking remedial action if necessary. That a power like that should be extant is less surprising than that there should be occasion for repeating or enforcing it. It is no mean reflection upon the enlightenment of these rulers that, instead of emulating each other in the art of progressive government, they should be giving room to the suzerain power to exercise the right of interference in their domestic affairs. That there has not been a uniform principle followed by the political department or that it has not even been just or equitable in the punishment of the delinquents, is no ground for disputing that right. Whenever flagrant cases of misgovernment come to light, it is incumbent upon the sovereign power to interfere with a view to put an end to it. The obligation will be greater and all the more onerous in the case of self-governing India. It is a little leaven that leaveneth the mass and a misgoverned Native State will be a corroding source of political nausea to corrupt our own institutions. The instinct of self-preservation must induce a

people, who have attained their liberation by a tardy process, to expurgate the tainted administrations about them. It will certainly be one of the main duties of a responsible government to keep watch on the administration of the Native States and when they fall from a definite standard to interpose and apply the remedial measure.

A suitable machinery for the investigation of cases of flagrant misgovernment was suggested by the Montford report in the constitution of a commission of five, including ordinarily a High Court Judge and two Ruling Princes. The commission might hold the enquiry in public if the offending Ruler desired it. The report further recommended the constitution of a commission whenever any disputes arose between one or more Native States or between a Native State and the Government of India or a local government. It was to consist of three members, one of them being a judicial officer of the rank of a High Court Judge and the other two nominees of each of the parties. If the Viceroy was unable to accept the finding, the matter was to be reported to the Secretary of State whose decision would be final. On matters of customs and usage and allied questions, the report also recommended the annual appointment of a standing committee of the

Council of Princes, which should also be constituted for the purpose of consultation between them and the Government of India in matters of common interest, and to which they may be referred. These devices show the necessity for a liaison organisation between the Government of India and the Ruling Princes. Once such an organisation is brought into existence it could be utilised for purposes which may not be foreseen now, but may be found to be of practical usefulness in the future. The Montford report envisages a stage when the senatorial institutions of the country with the creation of a Council of State, then not in existence, and of a Privy Council, which is yet to be formed, may be brought into closer relations when necessary with the Rulers of the Native States. "It would thus be possible for the Viceroy when he thought fit," says the report, "to arrange for joint deliberation and discussion between the Council of State and the Council of Princes or between representatives of each body. He might also invite members of the Council or Princes to serve on committees of the Privy Council".

All this, of course, looks like maiden meditation fancy free. The most serious impediment, however, is the possible attitude of the Princes to this tribunal. That has been completely

overlooked. A Chamber of Princes has since been formed, but experience shows that it has very little value either in expressing the collective view of the members or even representing the organised body of the Ruling Princes. The attitude of the Princes has been anything but favourable to its creation. The more important among them have kept themselves singularly aloof from its meetings and the less important, who may want to shine in the glare of publicity, are unwilling to commit themselves to the resolutions that might be adopted in it without subsequent ratification. The fact is hereditary chiefs and democratic bodies are an ill-assorted pair. Ruling Princes who are consumed with exaggerated notions as to the dignity of their station and are scrupulously punctilious about the sacredness of their person, cannot be expected to understand such simple democratic pabulum as equality of votes and rule of the majority. The Chamber of Princes, therefore, bids fair to follow the illustrious example of its predecessors, starting with the Councillors of the Empress, ushered into existence under the imperialistic glamour of Lord Lytton, but which was sought so unsuccessfully to be revived in some form or other by his successors, Lords Dufferin, Curzon, Hardinge and Chelmsford. Deeply convinced as some of the Princes are as

to their right to negotiate on terms of equality with the British Government, even to correspond direct with the King without the mediation of the Viceroy, they cannot approve of any step that would derogate them from that high, though false, status; and they cannot but resist any attempt to expose their failings in the eyes of their own peers not to speak of the vulgar multitude. Till they are disabused of their current notion that their subjects live for them and not they for their subjects and come to realise that titular severainties have a knack of crumbling into dust before the puissant assault of democracy, it would not be possible to bring them under a common organisation, in which each member has an equal voice with the other, and there is no room for ceremonials, dignities and such other remnants of discredited ages. And the case and claim of each will have to be decided upon as they arise by the suzerain power on their own individual merits.

II

The Montford report is not as sceptic about the cooperation and collaboration of the Princes in the furtherance of a scheme for conferring on subjects common to the British Government and the Native States. It also refers to "some of the more enlightened and thoughtful of the Princes" having raised the question of "their

own share in any scheme of reform". The nature of the questions so raised by them is not made known ; but that the subjects of the Native States have been stirred by the political activities around them and want to have a finger in the pie is abundantly clear. Proposals are put forward by them to embrace their participation in the active administration of a united India. The Native States have been fields till recently for the exploitation of British Indian talent and even to-day they keep their doors wide open in the higher ranks of their public service. In return they ask for recognition of their rights and their status in a self-governing India. Their own grievances as subjects of these States have come to be discussed in meetings outside their area and in conferences held in various parts of the country. They ask for our sympathies in the removal of their wrongs and for the establishment of representative institutions among themselves. They realise that if the States continue to exist as independent units without any organic connection with British India, save as now in matters connected with the personal rights, dignities and other vanities of the Ruling Princes, there will be no scope for the realisation of their aspirations. They have therefore propounded schemes for knitting together the States and the British Indian terri-

tories. The effusive imagination of the Montford report, in which a position of coordinate equality has been assigned to them with the senatorial bodies to be created in British India, has also stimulated thought in that direction and the result is a vague development of schemes of federalism in which they will have a proper place as constituent bodies.

Without opposing one's predilections against the development of a federal type of government for the future constitution of India, one can safely point to the total absence of any element which would be necessary to constitute a United States of India; and it can only remain a dream to every patristic Indian as it is to enlightened Princes of the type of the Maharajah of Alwar. A federal system cannot be brought about without each of the component parts surrendering some portion of its rights for the common benefit of all unless it is going to be a loose confederacy of States. What can the Native States give up and what can British India give up for the benefit of a commonwealth government? Any curtailment of the powers and rights which the Ruling Princes have assured to them under treaties they will not be prepared to forego; nor will they like to have the policies underlying internal administration

meddled with or legislated for by strangers. And the same thing applies with equal force to the people of British India. Whether the ultimate form of government takes a federal or unitary shape, the internal affairs of India cannot be transferred to the control of an organisation of which a good portion will be representatives of the Ruling Princes. If there is to be no surrender of existing rights, the need for the organisation can only come from new problems arising in which both the members may have a mutual interest, common or conflicting. The only problem one can think of is external defence and in it all the component parts of the empire have a deep and abiding concern. The obligation of treaties separately entered into with the Ruling Princes by the British Government, however, imposes upon it a duty to protect them from external aggression and a self-governing India will have no legal claim on them to shoulder their proper share of the burthen. We are not going to break through treaty rights which, once entered into, are solemn and inviolate.

To think of a commonwealth parliament without the Ruling Princes is to play Hamlet without the Prince of Denmark. Even if such a body should be called into being for the purpose of impressing the world with the

internal unity of India, the question of representation would raise insuperable difficulties. Whom is that body to represent ? Representation of British India can be made in any of the ways applicable to its legislative chambers ; but is the representation of the States to be confined to the Ruling Princes or extended to their subjects as well ? It would be preposterous to think that the Ruling Princes will be present in it or rub shoulders on terms of equality with their subjects to whom they have not shown such regard and consideration in their own States, if they are also to be allowed to be represented in it. Representation of the subjects alone will be of no avail as they cannot be expected by their voice or vote to carry the mandates of the Princes. To ignore the Princes altogether is to ignore the very purpose for which the institution is sought to be organised. Representation is the essence of the organisation ; and even as regards numbers, the States are so numerous that it would be difficult to bring them all under one organisation irrespective of their relative importance ; and if British India claims representation proportionate to its population and importance, they will be swamped by it. The very conditions which have made the Chamber of Princes a mere show, will make the organisation nothing more than

a pious aspiration. The process of the infiltration of democratic ideas has been painfully slow in some of the most important States and barren of result in others. And till the Ruling Princes themselves give unmistakable evidence of their sincere desire to take their legitimate share in the new ordering of things, a federal union is not likely to mature into a distinct organism of state.

This is not to shut our eyes to the manifest wrongs and disabilities to which the subjects of Native States are exposed and which they want to proclaim with a view to eradication in a more clamorous and potent manner than they could with bated breath and humbled voice within their own territories. The plea for a federal union that comes from them, based as it is upon the enlightened self-interest of a much-maligned and long-suffering people, deserves the sympathies of their comrades across the borders ; but the appropriate remedy is by no means a commonwealth parliament of the Confederate States. These people are certainly in an unenviable predicament. Except in cases of flagrant misgovernment, the suzerain power will not interpose its veto on the misdeeds of hereditary autocrats ; and they cannot force the hands of the rulers to effectuate even ordinary reforms without exposing themselves to the

severe wrath of the durbar. The constitutional methods of warfare open to the citizens of British India are not available to them. Their own difficulties engross all the attention of the people of India and they can hardly spare the time and labour necessary to join forces with their fellows in distress for the redress of their wrongs. Each has therefore gone his way not for lack of good-will, but for sheer lack of energy. A policy of laissez faire has been strenuously pursued hitherto and it has not been without its lessons. The old adage is still true that a people get the sort of government they deserve, and as the poet said, Greeks alone must free Greece, not the barbarian with his mask of peace. It should therefore be the endeavour of the people aggrieved to avail themselves of such methods of action as are still open to them to have their wrongs redressed. They can rely upon the moral support they may need in their crusade against ignorance, vice and autocracy from their British Indian compatriots, and a step or two in legal support as well. And there we must leave the Princes and their subjects to work the evolution of their own institutions. If the Princes are wise in their generation they will know that the fate that awaited the Czars, the Hapsbergs and the Hohenzollerns will overtake them yet if they continue to be blind in

their faith in personal rule ; and their subjects can console themselves in the thought that, if they are strong, united, vigorous and persistent, they too can stretch their hand through time to catch the far-off interest of tears.

III

If it is not possible to bring under a common organisation the political relationship of British India with the Native States, it is felt that at all events some attempt can be successfully made to place the financial and economic relationship on a more enduring basis. The Montford report made special reference to certain questions of common interest in which decision had to be taken even without the consent of the States concerned. It deplored the absence of a machinery for collective consultation and suggested the formation of a Council of Princes to which such matters might be referred. The Butler Committee has been specially appointed to consider such questions as the Chamber of Princes, organised as the result of the Montford report, has failed to function. Among the subjects that are of common interest are defence, tariffs, exchange, opium, salt, railways, posts and telegraphs, currency, coinage and mints. In respect of some of these matters more directly concerning the Native States there are agreements entered into between

them and the British Government and advantage would seem to lie in their revision, if and when required, being undertaken by individual negotiations rather than at a common Council of the Princes. Such questions, for example, as opium and salt may affect certain States more than others and they are fit for such negotiations. The payments which the Native States are making for railways, posts and telegraphs are just returns to services rendered and in respect of which the British Government has incurred capital expenditure. Travancore and Indore may not be equally interested in the payments each may have to make therefor and a common organisation does not seem to be necessary for such a purpose. The subjects of coinage, currency and mints are undoubtedly matters of common concern, and most of the States have by virtue of special agreements placed themselves on a position of subordinate equality with the British Indian system and have abandoned minting their own coins. It is certainly well for the country that there should be uniformity of currency policy for facilitating trade and internal commerce, and though the British Government has not yet asserted the right to establish uniform coinage, it is to be hoped the Native States will come to an understanding with it with a view to secure identity of monetary purpose.

A suggestion of a most preposterous kind has of late been made with regard to the customs revenue raised by the Indian Government on commodities entering into its territories and destined for the Native States. The claim is put forward for an undefined portion of the revenue raised on all goods passing through them, on grounds which have as yet found no recognition either in municipal or international law. The claim itself is due to the fundamental mistake that has been made in the first flush of the grant of fiscal autonomy under the Montford dispensation. The practical free trader is now in India dead as the Dodo. Everybody thinks that he is an economist of repute if he manages to raise a stone or two in the tariff wall to buttress the little industry in which he is interested ; and under the influence of these petty manufacturers and for placating the protectionist cry of the Indian publicist, the Government of India have changed their fiscal policy from one of unmitigated free trade to what has been euphemistically called "discriminative protection". As if protection and discrimination can go together ! From the modest figure of about six crores, at which the customs revenue stood at the beginning of the century, it has now reached the neighbourhood of fifty crores. The revenue duty of five per cent has yielded place

to an *ad valorem* duty, in some cases of thirty per cent, with the natural result of enhanced prices and a high cost of living. This difficulty was of course sought to be mitigated by raising the exchange value of the rupee first to two shillings and then to eighteen pence as a permanent measure. A sixteen penny rupee would keep prices at least twelve and a half per cent higher. So is wisdom vindicated in New Delhi. The little statesmen of the Native States have been alarmed at the easy way of replenishing a famished exchequer and they want a share of the excess revenue levied on commodities destined for their consumption. They have not gone the absurd length of claiming a rebate of the duty levied on things purchased by them in British India ; but the reason why a sovereign state should be precluded from levying duties on goods passing through it or give a rebate to territories in the hinterland is not made clear. There is no justifiable principle governing the demand save what may arise out of treaty obligations. Such treaties are in existence with regard to Travancore, Baroda, Cochin and other maritime states and they are based upon mutual advantage of the contracting parties. It is no answer to the exercise of the sovereign right of levying customs revenue to say that their own revenues would have to be correspondingly

reduced. But that is an economic disadvantage of being in the hinterland for which nobody can help.

The plea practically amounts to an interference with the course of British Indian trade and transfer it to the hands of middlemen in the Native States. Unless a long customs cordon is kept round every Native State, it is impossible to see how the importer, who books his goods through, can be prevented from smuggling his duty-free goods into British India and beating his competitor there. The practice of smuggling and underselling is not novel ; the evil was found to have been so widespread that the Government of India were compelled last year to reconsider the introduction of the Viramgaon Cordon line owing to the activities of the smuggler who trafficked through the Kathiawar ports. That it would be physically impossible and financially perilous will be admitted by every one. The only way of escaping from it would be to let the States raise their duites on a level with our own requirements. The Central Government will have then to regulate their fiscal policy with the previous knowledge of the Native States and let their finances accommodate themselves to our own needs. When we take off a duty or make an all round reduction, the Native States will also

have to adjust their budgets accordingly. The practical difficulty, however, is not the only objection to the claim of the Native States. The chief and fundamental objection is the sovereign right of British India to regulate its own tariff rates according to its needs and if the States are hurt, it is open to them to make such arrangements as may be naturally advantageous to both the high contracting parties. What advantage could be so secured must be left to the individual states who know their position best; and here again the need for a common organisation does not appear to be pressing or paramount. It is raising the question of an imperial zollverein which, it was fondly hoped, was buried once for all by the abolition of internal transit duties and the reduction of customs duties to meet the modest demands of public revenue, a policy initiated so wisely by the famous budget of Sir Evelyn Baring (afterwards Lord Cromer) in 1882. A Finance Minister who can think of surrendering a source which gives him fifty crores a year to satisfy the forgotten shibboleth of free trade is not likely to arise till the patient consumer, who now pays the piper, realises that it was not he but somebody else that called for the tune.

In the matter of defence there is undoubtedly need for concerted action. Whatever may be

the obligation of treaties, the Native States must realise that their own existence is indissolubly bound up with the safety and permanence of the rest of India. Should there be a foreign invasion, which nobody apprehends now, the Ruling Princes cannot wait till everything is over and call upon the suzerain power to show cause why it has failed to comply with the strict terms of its treaties. At that time Princes and peasants must pull together in and outside British India. In the organisation of an efficient and well-equipped citizen army, therefore, they are equally interested with British Indian subjects ; and they can certainly take a practical step or two which the British Government has failed to take till now. Whatever may be the fighting value of the Imperial service troops, there is no doubt that they cannot compare with the army of British occupation in India, either in the matter of their equipment or in the seasoned training they have had. It is up to the Ruling Princes and the splendid inheritance of their forefathers, that their troops are manned by the best trained officers available and are equipped on the most up-to-date lines. One should have expected them long since to have established an Indian Sandhurst fully equipped and capably manned to instruct intelligent youths in the noble art

of man-slaughter. Many of the members of the Ruling families might themselves have undergone a course of military training in such a college to take their place in the field at the head of their own army. An institution combining the facilities of Sandhurst, Woolwich and Cranwell to train cadets for service in the military force of all arms in the Native States should have long since been started by the joint efforts of the Ruling Princes. They owe it as much to their subjects as to the empire of which they claim to be equal partners. Whether a military college on the lines of Sandhurst materialises in British India or not, a determined effort on the part of the Ruling Princes to bring one into existence at an early date would entitle them to the lasting gratitude of posterity. The Chamber of Princes can do worse than instil into their minds the paramount importance of taking their time-honoured place in the defence of their kith and kin, of the land of their birth and not of their escapades. The survivors of the military and diplomatic greatness of our own times, they cannot permit themselves and their subjects to be permanently emasculated, even as the people on the other side of their borders, if they want to vindicate their own and national self-respect.

CHAPTER VII

THE PROBLEM OF DEFENCE

I

TWO opinions are possible on the capacity of Indians for self-government, at least have been expressed ; but there can be only one in respect of their capacity for self-defence. It is scarcely a century since Chillianwallah was fought, and the generation that succeeded the heroes of that engagement cannot so soon have lost the cunning of the art. No less an authority than Sir Ian Hamilton has said that there are materials in the heart of Hindustan which would shake the foundations of Europe to its very depths ; and he based it upon his own personal knowledge and experience. In a hundred different fields have Indian soldiers fought side by side with their British comrades, and they have given ample proofs of their valour, heroism and powers of endurance whether it was in Manchuria or in Mesopotamia or in Flanders. They have never taken the field with a printed adjuration in their pocket to avoid wine and woman ; their manly self-restraint has been universal. In one thing only they have lacked and it is in the power of initiation. For that

the blame does not lie with them. A policy of distrust has condemned them to service in the ranks, kept them from rising to any position of independent command; and the children of the martial races—the Sikhs, the Rajputs and the Mahrattas—have been solemnly enslaved to obey and never to lead. It has dimmed even the noble quality of gratitude of which the meanest quadruped shows some signs once out of peril; but it is testimony all the same to the singular worth of the material that is available, if only the men would like to use it. The cardinal fact, however, is different. Sir James Willcocks, who commanded the Indian army in France, expressed the widespread feeling of his class when he said, “whatever you do as regards the inhabitants of India, whatever form of government they may eventually possess, so long as the Union Jack floats over Hindustan do not reduce the present status of the British officer. You will find Indians as brave, loyal gentlemen and splendid comrades, and hence you may find it difficult to refuse equality of command; but you must make this a cardinal principle, for no argument decked in rhetoric will alter the fact, that you can never replace the British officer in the Indian army”—perhaps the eminent soldier would have preferred to add, without the Union Jack flying away from Hindustan!

This policy of distrust and suspicion is the sequel to the Sepoy Mutiny which threw the heart of Hindustan in tumultuous convulsion and the minds of statesmen in permanent disorder. A committee that was appointed soon after to reorganise the army, started work with the definite object of making the repetition of such occurrence impossible, which was only natural ; but ended in making proposals which the better mind of England viewed with evident concern even at the time. It is the starting point of all the financial ills on the army side of the budget. To the labours of the Peel Commission we owe the Army Amalgamation scheme of 1861, stigmatised by Sir George Balfour as hasty and ill-considered. The Viceroy and his Council were unanimously opposed to it ; experienced Indian military authorities would not recommend it ; Lord Salisbury, asked his opinion about it, declined to express himself in favour of it. Still it was forced on India as a measure of political precaution. The dominant feature of the scheme was the amalgamation into a single force of the Queen's troops and the Company's army, which were partly recruited in England and partly raised in this country, some on a long service system and some for life, at a comparatively cheap cost ; and the handing over to the War Office of the supply and control

of the recruits for the British unit of the Indian army. Thus the first and fatal step was taken in withdrawing the management of the army from the Government of India and vesting it with an extraneous body, absolutely indifferent to the financial perils and dangers to which the conflict of interests would expose them. The proportion of the British to the Indian army was also raised and fixed at one British to every two and a half Indian of the total strength of the forces. An attempt was made in the internal organisation of the Indian unit by the formation of what was known as "class companies" to prevent the growth of a sense of solidarity and national consciousness among the men recruited specially from what are called the "martial races". And yet they have been excluded from service in some of the important arms of the military force. They cannot, for example, be gunners in the Royal Horse Artillery or Field Artillery or in the Medium Artillery though they are admitted in the Pack Artillery, in the Frontier Garrison Artillery and in the Indian Coast Artillery. The higher ranks of the service have been deliberately shut against them in all arms, and although a few King's Commissions have been given, about ten admissions being annually reserved since 1918 for training cadets in the Sandhurst (now raised to twenty), they

are rigidly excluded from the Artillery, the Tank, Signal, Engineering and Air Forces. The withholding of Commission in the Air Force, especially after the signal service renderd by Indian Officers in the Royal Flying Corps during the Great War comes with particular ill-grace. The same story is told in the Ancillary services. If among seven thousand persons holding King's Commissions in the fighting force, only forty-two Indians have managed to creep in, the mildest adjective to characterise the meanness of the policy which, originating in the scheme of 1861, has successfully held the field for well-nigh three quarters of a century, is melancholy.

Seventy years after the deliberate surrender of the military administration into the hands of the War Office, the Government of India still feel undecided as to the steps they should take to recover lost ground and restore or recreate the Dominion army, which the East India Company maintained at a strength of 254,000 men of all arms, for a modest expenditure of eleven and a half crores. That was the strength of the army maintained and expenditure incurred in 1856. In the delightfully indecisive foreword appended to the Report of the Indian Sandhurst Committee issued on the 1st April 1927—an appropriate day!—they indicate the possible

creation of a Dominion army, only doubting if the basis of the scheme adumbrated in the report offered "the sure stable line of advance" or whether "alternative methods which did not fall within the Committee's terms of reference might not more profitably be explored". It was a convenient way of shelving the decision for which the Chief of the General Staff had affixed the sanction and authority of his honored name. After all, the committee presided over by Sir Andrew Skeen made but very modest proposals and took a conservative view of the requirements of the army. Its scheme provides for the creation of a military college in 1933, which would provide at the start for the training of one hundred cadets on a three years' course, with a view to progressive increase in the number. To prevent the breaking of the tie with Sandhurst and for maintaining the imperial tradition, it recommends the annual reservation of twenty seats for Indians who might prefer to go to that institute. On fully maturing, the scheme would provide for half the number of commissioned ranks being held by Indians in the Indian unit of the Dominion Army by about 1952. A modest ambition to be sure for work a quarter of a century ahead ! This the Government of India thought to be too large an order. They declared that "the problems of recruit-

ment and training of King's commissioned officers for whatever service are essentially an imperial concern, and any proposals reacting on them will require close scrutiny by His Majesty's Government and their Military advisers". The apology has evidently overstepped the limits of the sublime. The discovery has been a little belated, if not actually inspired by the War Office. It did not apparently strike them when they, in a fit of statesmanly generosity, appointed the committee or framed the terms of reference, to enjoin upon it before arriving at its conclusions to take account of all those factors of which "it was not within the province of the Committee to undertake a complete survey". Much rather, they did not in the least contemplate that the Sandhurst Committee would make the sort of recommendations it did!

Looking back on the history of the administration of the Indian army by the War Office, one must confess to the absence of a single relieving feature justifying the transfer of the direction of the military policy into its expert hands. It has not cheapened the cost of the Indian army or rendered it more efficient. It has only helped in relieving the British estimates of a considerable portion of expenditure which should be legitimately borne on them.

Lord Salisbury complained in his evidence before the Select Committee of Parliament on East India Finance, that it was the pressure of the House of Commons upon the budget which created this difficulty for India ; but Sir George Balfour declared that the double system of providing troops for India from England and making India pay for them must lead to evil. The evil has been of every kind and variety, seen and unforeseen, aggravated by time and circumstance. The imperial aspect of the problem has overshadowed every other and as the other members of the empire have made themselves responsible for their own internal defence and left the external defence to the mother country, a considerable portion of the responsibility for defending the empire has been shelved on us. The whiteman's burden is borne by the brown. " You would not have nearly so efficient an army, and you would not be so great a military power ", said Sir Thomas Pears before the same committee ; " nothing will persuade me that the possession of India is not of great importance to this country, both politically and in a military point of view, as well as commercially ; in a military point of view your best training ground has been in India ; you have 60,000 men there ". And lest we forget, here is an extract from a letter of the

Duke of Argyll while Secretary of State for India. Defending the policy of the Government of India against the mischievous attack of the War Office that they maintained the smallest possible amount of European troops, habitually relied on reinforcements from the army at home, and thus practically leaned upon that army as an army of reserve, he wrote that it was "not only incorrect, but as completely inverting the real facts of the case. It would be much nearer the truth to affirm," he continued, "that the Imperial Government keeps in India, and quarters upon the revenues of that country, as large a portion of its army as it thinks can possibly be required to maintain its dominion there; that it habitually treats that portion of the army as a reserve force available for imperial purposes; that it has uniformly detached European regiments from the garrison of India to take part in imperial wars whenever it has been found necessary or convenient to do so; and, more than this, that it has drawn not less freely upon the Native army of India, towards the maintenance of which it contributes nothing, to aid it in contests outside of India, and with which the Indian Government has had little or no concern."

The financial aspect of the question has, of course, loomed large in the public eye. The

Government of India have been strenuously protesting against the inroads which the War Office have been making on the slender financial resources of this country owing, to quote Lord Salisbury again, "to the constant tendency of the departments at home, which have such enormous inducements to save, to get money where it may be had without resistance or difficulty". Better than their modern prototype, they wrote in the early nineties of the last century that "millions of money have been spent in increasing the Army in India, armaments, and on fortifications, to provide for the security of India, not against domestic enemies, or prevent the incursions of the warlike peoples of adjoining countries, but to maintain the supremacy of British power in the east. The scope of all these great and costly measures reaches far beyond Indian limits, and the policy that dictates them is an imperial policy". The protest has been lodged not only against the huge sums thrown away in the mountain fastnesses of the Sulaiman or the Hindu Kush, or generally spent in the civilisation of the Afridis, the Pathans and the tribal warriors in exchange for the periodical exercise in warfare they have been giving the British army, but against the annual subsidies made to the War Office under the two heads of effective and non-effective

charges. It would seem that the arrangements by which these heavy tributes are exacted do not satisfy either party and there has been practically a seventy years' war between the War Office on the one hand and the India Office supported by the Government of India on the other. There have been a score of attempts at arbitration commencing from the Tullock Committee of 1861 ; and they have not been of any avail. There was the Seccombe Committee, the Select Committee of Parliament on East India Finance presided over by the Hon'ble Mr. Ayrton, The Bouvrie Committee, the Northbrook Commission, the Welby Commission, the Romer Committee, besides a number of departmental Committees too numerous to mention. The net result of all these various arbitration proceedings is the payment to-day of a capitation charge of £. 25 per head of the "boys" shipped to the eastern barrack of the British War Office and a heavy non-effective charge, levied on principles which have no historical parallel in the relationship of any imperial partner with the subordinate partners of the empire, ancient or modern.

But the financial aspect is not all. The most significant attack to which the system lays itself open is that it is so devised that any military value the public finances may secure

in return for the heavy annual outlay is reserved for the exclusive benefit of the United Kingdom and not for India. For the sixty crores that is now expended on the army there is only a police force, fit for garrisoning the country from internal disorder and not an expansive army to repel attack on either frontier. Nature has provided this peninsula with a defensive frontier practically invulnerable, but the aid which man has given her is nil. There is an inelastic army of scarcely two lakhs of which, if a good number is disabled in a preliminary encounter, nothing would be left to expand or replace. The Auxiliary force made up of the able-bodied among the naturalised Europeans, although meant to form the second line of defence of the British garrison, will be warned off to defend the isolated groups of European men, women and children scattered throughout the country; and the magnificent Territorial force of twenty-thousand, who form on paper the second line of defence of the Indian army, will have vanished into thin air if the regular army is routed. The Auxiliary and Territorial forces are more a puppet show than desirable fighting units. The limited regular army is the only defensive strength the country can muster in time of need and if it is lost, there is an end of the matter. No doubt the

regular army is always in fighting trim, the cadres ever full, and that is its chief weakness. The great war has shown, if ever the lesson was wanted, that modern wars are not fought or lost by a handful of mercenaries, but by the manhood of a race being pitted against the manhood of another ; and if there is a combined Afghan and Soviet irruption on the north-west and a Mangolian irruption on the north-east, it is not the thin red line of the British or Indian battalions that now garrison the frontiers that would save the situation : it can only be retrieved by the entire manhood of the country rising in unison and standing in solid array. The question is one of reserve and not the number in the fighting line. The United States of America has a regular force much under the strength of the Indian Army, about a lakh and a quarter ; but it can put into the field a million men in a few months after the breaking out of a war. How many can we put into the field and where is our reserve ?

The reply of the War Office is struck in the familiar note that they have in mercy saved this poor country the trouble, cost and worry of maintaining a reserve, but in the supreme interests of the empire have allocated it to the United Kingdom, ready and willing at the same time to be moved to the east at a moment's

notice. The necessary implication of this plea is well understood outside the military circles in which it might be expected to pass muster. It is only a clever way of stating the case for the United Kingdom, which requires a large reserve and cannot any more than India lean upon the broken reed of a small standing army. The short service system introduced by Viscount Cardwell effected a revolution in the military organisation which once secured, if not an expansive, certainly a well-trained and seasoned army, some of whom enlisting at first for a long term renewed for further service, and some for life. The result was the fighting strength was singularly efficient. Both medical and military opinion agree in that the soldier is at his best between 25 and 35 years of his age. But the short service system gave instead battalions of boys who, if they had brains, would have been at college ; and retired them to the reserve just when they became useful. Often we have been compelled to import infantrymen who had not known their squads, cavalrymen who had not mounted their horses, and artillerymen who had not fired their ammunition ; and when they received their proper training at our expense, were shipped back to England to be replaced by a similar contingent for training. Sir Henry Norman was therefore of opinion that the soldier

should serve at least eleven years in all; and Lord Salisbury persisted in urging that the efficiency of the British force in India would be greatly impaired by the withdrawal of the finest material for the reserve force in England. He added: "Neither is it reasonable, under such circumstances, that the constitution and maintenance of such a reserve which would never have been devised but for considerations of purely European policy, should entail so large an annual charge upon India as is obviously unavoidable if the short service system is to be allowed to operate in that country, more especially when it is considered that, in addition to such permanent charge for that purpose, India would be charged with the entire cost of any portion of the reserve force that might, under some remote though possible contingency, be called upon as a reinforcement in the event of extended military operations in that country".

Homer sometimes nods and Lord Salisbury made a mistake in believing that, though at such a price, the reinforcement would be forthcoming. It was certainly not the view of some of the outspoken advisers of the Crown. A British War Minister, Mr. Stanhope, informed the Secretary of State for India that it was "far from improbable that the same circumstances which necessitate a mobilisation in India might

also render it impossible for this country to part with any considerable portion of the small number of regular troops in the United Kingdom". Ten years later the same statement was repeated by Lieutenant General Sir Henry Brackenbury before the Welby Commission. "It is within my knowledge," said he, "that there is no misunderstanding between the Government of India and the War Office on this point. I would wish, further, to say that I believe—I can state positively that it was the case a few years ago, and I can believe it to be so now—that all these troops in England are told off definitely to places in the scheme of home defence". To a question by Sir Ralph Knox, he said: "I should like to express my own opinion—I was for $5\frac{1}{4}$ years head of the Intelligence Department before I went to India—that in the present state of political balance in Europe, if there was to be a great danger of war with the Power which is on the northern frontier of India, there would not be the slightest chance of one single man being sent out of this country to the help of India". Further examination of Sir Henry by the members of the Commission, who were either amazed at his indiscretion or ignorant of the under-currents of the policy of the War Office, only confirmed the view-point he expressed,

that the reserve in whose manufacture the Indian taxpayer is spending himself, will be of no use to him when he may need its services most. This accounts for three and a half crores of non-effective charges we are paying the War Office.

The case in respect of the tribute of six crores on account of the effective charges is no better. They are levied on the ground that they are actual expenses incurred by the War Office for the establishments they have to keep to recruit and train the boys sent for service in India. As to the character of the service rendered by these "depots" in home defence, no better authority need be quoted than Baron Sandhurst, once Commander-in-chief in India. Replying to a question by Sir Henry Campbell-Bannerman before the Select Committee of Parliament on East India Finance, the eminent soldier said : " If these depots did not exist, if the army were precisely on the same footing as it was when I first went to India, some thirty years ago, then all these officers who are now serving for the depots would have to be in India, because we cannot do without them in India. As it is, they are now available as a reserve for India, but instead of being on leave in England they are actually performing service in England and Ireland, and, as I believe, the service that they perform in England is really

of a more important character to English interests than is shown in the mere training of recruits. For instance, we will take a depot in Ireland ; this depot in Ireland, as it exists in the midst of a disturbed district, enables me to take military charge of that district, without sending a detachment from another regiment. I say that the duty performed by those officers in that district is a duty done in home defence ; why should India pay for that ? " Echo answers, why ? Even Viscount Cardwell, the progenitor of the idea of imperial partnership, asked by Sir Henry Fawcett if the men who were in England at the Indian depots, and being trained as recruits for India, did not constitute a portion of the effective strength of the English army, answered in the affirmative. It is clear then that, though the officers and men who train the ten thousand and odd recruits annually despatched to India and the recruits so trained in the depots form part of the effective military strength of the British army at home, the Indian taxpayer is mulcted in a sum of six crores per year by way of effective charges for them.

The position then comes to this. For the purpose of meeting imperial needs, we gave up or rather were forced to give up the right of maintaining an efficient and cheap local army ; we were forced into a partnership without our

knowledge which has cost us dear ; we forewent a long service army which gave us trained and seasoned soldiers and exchanged for it battalions of boys whom we manufacture into fit soliders and send them home to form a reserve, thereby helping the United Kingdom to keep the cadres as weak as possible ; in times of peace we further help the British treasury by keeping at our expense a large regular army in the United Kingdom doing garrison service ; and in times of war we run the risk of not being helped by either the recruits we pay for, or the army of officers and men who train these recruits at our expense, or even the thousands of reservists whom we have trained into perfect fighting machines at a luxurious cost. Really India is a rich grazing-ground turned to very good purpose by statesmen whether they think imperially or otherwise.

II

Soon after the conclusion of the war, and with a view to reorganise the army with special reference to *post-bellum* conditions, Mr. Montagu appointed a Committee to report among other things on the organisation of the army in India, including its relations with the War Office and the India Office, and the relations of the two offices to one another. He appears to have specially charged the Army in India Committee

with framing the recommendations in a manner which may not be inconsistent with the gradual approach of India towards a Dominion status. From the point of view of the British imperialist the report of the Esher Committee could not be stronger and more one-sided. Fresh with the lessons of the Great War and impressed with the need for mobilising the entire forces of the empire in times of emergencies, they attempted in their proposals to lay the foundations of a "sound imperial military system"—a thing which they were not asked to do. Technically and statutorily the Government of India are responsible for Indian military affairs ; but the Committee's recommendations amounted to converting the Governor General in Council into a subordinate department of the War Office. The Government of India were to be given a voice in questions of imperial defence; but how that voice is to make itself heard they do not say, unless it be by the Commander-in-chief maintaining constant and intimate touch with the Chief of the Imperial General Staff in London and the General Staff officers. The Chief of the Imperial General Staff was to exercise a considered influence on the military policy of the Government of India. This was to be done by establishing freedom of communication between the Commander-in-

Chief in India, who himself was to be appointed with the concurrence of the Chief of the Imperial General Staff, and the Imperial General Staff, the Secretary of State for India being kept fully informed of such communications. The Secretary of State for India will have in his Council no military officers, but he can consult a Deputy Chief of the Imperial General Staff, who will be Secretary in the Military department of the India Office, with a right to attend the meetings of the Army Council. "If this system can be established", say the Committee, "the chain of military responsibility for questions of an imperial character will be complete". And with it the chain of Indian financial destruction as well. It may be certain that under this plan the Governor General will be assured of undivided counsel upon military questions, and uniformity of military policy will be established between Great Britain and India; but how the statutory control over the army in India can be retained except in name in the hands of the Government of India, one fails to see.

It is by the restoration of the de facto control that the Indian military policy can be brought round to subserve its chief purpose, which is the defence of these territories both from internal rebellion and external aggression.

The ultimate unity of military aim is not a matter which exclusively concerns India: it concerns all the component parts of the empire. Till the motley crew that make up the empire come to realise the need for coordinating their fighting strength and vesting its control in an imperial cabinet, it would be idle to seek to establish a unity of aim and purpose only between the armed strength of Great Britain and India. And yet this aspect of the problem was coolly forgotten by the Esher Committee and they proposed to stiffen the hold of the War Office on the Government of India and make the latter subservient to them. Under the cloak of efficiency, they even proposed to withdraw from the India Office the liaison work they have been performing between India and the War Office. The Esher Committee were in no doubt as to the increased cost of the system they matured, of which they did not give an estimate, but held that, as the first concern of any government should be defence from external aggression and the maintenance of internal tranquillity, the higher standard of normal expenditure ought to be cheerfully borne, especially as it could be met from the normal growth of Indian revenues. So the normal growth of the revenues was to be pawned in advance to securing the unity of imperial aims.

The Esher Committee considered, rightly from their point of view, that the three hundred millions of starving men, women and children must sweat for the sake of sixty thousand British boys and about double the number of Baluchi, Gurkha and Pathan mercenaries who are to defend the hearths and homes of a self-governing India. How their proposals accord with the gradual approach to Dominion status, they fail to state ; but if self-government meant only the right to pay the bill, the Esher Committee were perfectly justified in asking us to foot it.

The statement of the case for the War Office, so laboriously compiled by the Esher Committee, and the permanent effects of the close collaboration between the two partners, to which we have adverted in detail, clearly indicate the lines on which reform should proceed, if the rake's progress is to be arrested and the military octopus kept within reasonable bounds of its dangerous occupation. First and foremost the administration must be brought into line with that of other civilised countries, who have vested it under civilian public servants, not out of antipathy to the military, but because of the recognition of the fundamental principle of uncontrolled, essential, and in the long run indestructible subordination of military to civil

authority. It was the boast of Lord Curzon that he wrecked his Indian career in the vindication of this as well as the other principle of the payment of due and becoming regard to Indian authority in determining India's need. The principles have not vanished, he said a couple of days before leaving these shores, but have momentarily disappeared,—a forecast in which he failed as in others. His own fight would have been on safer ground if he had sought for the abolition of the Commander-in-Chief's seat in the Viceroy's Council, his place being occupied by a civilian officer of proved independence. But the time is now come when it must be effected as a necessary preliminary of all other reforms. Self-government will be a farce, a delusion and a snare, if the Commander-in-Chief is a tool in the hands of the Imperial General Staff instead of a servant under the Crown responsible solely to the authority that pays him. And that can only be secured if the direction of military policy is in the hands of a civilian member. The very recommendation of the Esher Committee to relieve the Commander-in-chief of attendance at the meetings of the council, except to explain matters pertaining to his department, would seem to emphasise the value of the purely executive matters being left to him, leaving the administrative as well as

matters of policy to the uncontrolled discretion of the Governor General in Council. It may be noted that even the very office of the Commander-in-Chief has been abolished in England.

The Secretary of State for War, who is responsible for the organisation and up-keep of the British Army, has for his guidance an Army Council and a Defence Committee, both of which in their constitution reveal a decided bias in favour of civilian control unresented by the army. The Army Council is composed of military and civilian members, and the Defence Committee has for its only permanent member the Prime Minister of the day, the rest being nominated by him from time to time. We have in place of an Army Council, a Military Council consisting of the departmental heads with a civilian Financial Adviser thrown in by way of relief. From the Defence Committee the non-official element is practically excluded. There is no reason why some of the leading members of the Assembly or the Council of State should not be invited to take part in its deliberations. The Esher Committee make no recommendations as to its composition, apparently because to them the military atmosphere is everything and a civilian element is anathema; but to perpetuate the bondage they suggest that the

Secretary of the Indian Defence Committee should be placed in direct touch with the Secretary of the Imperial Defence Committee in London, so that as far as possible the measures concerted by the latter should be applied by the Governor General in India, so far as they are appropriate, to local conditions. With reference to the Military Council also they do not care to take a leaf out of the Army Council. A military dictatorship should suit India better than free-born Britons and where that brings in its train financial relief to the British treasury, it must be doubly enforceable on this unfortunate country.

If disinterested economy is the canon of successful administration in public finance, the Government of India; as at present constituted, have proved themselves to be hopelessly unworthy of entrustment with the management of military finance. There is no other branch of administration in charge of the Central Government that is not merely capable, but ought in common prudence to be transferred to the charge of a minister responsible to the popular legislature, than the military budget and the policy underlying it. It would be impossible otherwise to evolve a system which might apparently be in conflict with, but would be truly found to be in the permanent interests of

the empire. The creation of a citizen army led by the select manhood of the race, on a system which will have created a copious reserve, is not merely an ideal to strive for, but a practical necessity if, as Lord Allenby says, the centre of gravity of military conflict has shifted from eastern Europe to what is known as the near and Middle East. The puny attempts at the creation of Territorial forces and University corps have to give room to a well-planned scheme, evolving an elastic and expansive Army, fully equipped and manned by native talent and native resources. And the cost of the army has to be reduced to a level proportionate to the capacities of the people whom it is to serve. If British statesmen want to retain for the safety of their countrymen and the protection of British commerce in the East a considerable body of their own troops, there is no reason why we should pay for them. There is much less reason to pay for an army which does garrison service in an elaborate scheme of home defence or swell the volume of its reserve. Such a retrenchment, necessary in the interests of sound finance, and justifiable on grounds of policy and morality, cannot be carried out with all but the so called "statutory" control of the army being vested with the War Office. The present system aims at the continued emascula-

tion of an ancient people, an offence against both God and man ; and the recent refusal of the Viceroy to accord sanction to a bill for the compulsory physical training and rifle practice for boys, is indicative of the trend of official opinion in the matter. The new angle of vision is getting a bit obtuse.

CHAPTER VIII

THE ADMINISTRATION OF JUSTICE

TWO things are invariably recognised as the dominating symptoms of every self-governing state, the independence of the legislature and the independence of the judiciary. Both of them have got to be independent not only of any extraneous power, but also of each other. The legislature may sometimes fall from its high estate, and, if it does, there is an invariable corrective in the enlightened self-interest and the outraged political consciousness of the aggrieved voter; but when once the judiciary becomes dependent on either the executive holders of power or the titular leaders of the people, it would become a source of oppression and a mighty engine of discontent and revolution. The High Courts of India for long used to be called the palladium of British Justice, and whether at the present day they are held in the same veneration and awe, may admit of doubt; but there can be no question that the only sustaining arm of British power is the settled conviction that in the administration of justice the highest courts in the land try to hold the scales even. They may sometimes be perverse;

they may even be afflicted with the prevailing prejudices of the hour ; they may occasionally be impatient or dull-witted. But that taken all in all they endeavour honestly and to the best of their light to administer the laws of the land in a spirit of fair-minded liberality goes without saying ; and some at least of the judges of the High Courts have built for themselves a niche in the temple of fame, which might be the envy of posterity. A Sir T. Muthuswami Iyer, a Dwarkanath Mitter, a Justice Mahmood, a Nanabhai Haridas and a Justice Ranade have, for the depth of erudition, soundness of knowledge and integrity of character, been surpassed by few ; and their successors have often felt the difficulty of carrying on their work in undiminished lustre. If the Chartered High Courts remain the chief emblem of British rule, answering to the conception of an enlightened and civilised administration, it is not due to any conscious effort on the part of the government, but in spite of it. As the lineal successors of the Supreme Court, which opened its regime in undisguised hostility to the Governor General in Council, they have tried to follow the best traditions of the English Bench and carry aloft the noble banner of judicial independence and integrity. Of Sir Comer Petheram it used to be said that he never attended a Government House party

lest he should be infected by the official virus ; and if others did not cultivate the same social exclusiveness, they have in the generality of cases striven successfully to vindicate the nobility of their calling. They have resisted the temptation to prop up executive highhandedness and play for ever second fiddle to them. The lapses into such weakness have been few and far between. The provocation to be the spokesmen and interpreter of executive rule has been great and it has been in the main resisted. The recruitment of a fixed proportion from the ranks of the Civil Service might have been expected to mellow the stiffness and rigidity of Temple Bar ; but it has rather let itself be influenced by it. If we detect a distinct degeneracy of late, there has been a regrettable indifference in the choice of the personnel. The Bench and the Bar react upon each other and commanding personalities are lacking in either. If neither indigenous manufactures nor foreign importations have come up to the mark, it only emphasises the need for more circumspection in the choice, which must not be governed by considerations other than distinctive individuality and proved merit. To secure the requisite calibre in the judges, the appointment is left in England with the Lord Chancellor, who is in close and intimate touch with the Bar.

But here the Secretary of State for India is responsible for the foreign article and the local governments for indigenous talent ; and between them, they have permitted nepotism to play its mild trick. Both of them are out of touch with the Bar, and the Bar has reciprocated the compliment by yielding not even the second best to the Bench. It is left to the innate sense of personal dignity and the atmosphere of tradition and history to confer the measure of sterling independence and uprightness, which habit and training, combined with assiduous application in practice, have dealt in the former occupants of the high office.

This is not a state of things which can be allowed to be a permanent feature of the constitution without gravely imperilling the prestige of the highest tribunals of the realm. The appointment is statutorily made by the King and the incumbent holds office during His Majesty's pleasure. A judge of the High Court in England is removable by vote of both Houses of Parliament ; but in India he is rightly above the reach of the legislature. The opportunity for the exercise of those qualities of independence and even temper is therefore unique ; and if greater discretion is exercised in the choice of persons, there is no reason why the Bench in India should not develop into a model

of judicial sagacity and distinction as well as the custodian of popular rights and liberties. The reasons, which originally accounted for a three-fold field, cannot any more operate in the conditions of the country, when a highly-trained and efficient bar has sprung up with traditions and an *esprit de corps* of no mean order. The acute intelligence and penetrating sagacity of the Indian Bar are beyond cavil and the prizes of judicial office are naturally their due. The patronage of a third of the seats to the civil service has outlasted its usefulness. It is a thing which would be laughed at in the United Kingdom or anywhere else; but in India it has survived for the best part of a century. Two reforms seem to be necessary if the High Courts are to command the respect of the Bar and serve the country with ability and distinction. The first is to restrict recruitment to half the vacancies to the Bar and the second is to throw open the other half to either practitioners of outstanding abilities in the United Kingdom or Judges of the High Courts in England who may be willing to include India in a term of their service. In either case it would follow that the age-limit must be removed. To compel retirement at an age when one acquires ripeness of wisdom and experience is to cut short one's usefulness rather prematurely. It is not

bustle and activity that are required in a Judge, but calmness and serenity acquired by age and experience. The anachronism of age-limit is a survival of the past when Englishmen thought themselves to be no more than birds of passage, who must get rich quick and retire to their native land to settle in comfortable, and in many cases, matrimonial ease. It is not that in India men become senile or sterile at sixty. Except in cases of admitted precocity, they have been as active and fertile after sixty as before and that should be the minimum age for a seat on the Bench.

That in the exacting nature of the acutely specialised work the Judges have to perform, a reservation of a third of the seats for the Civil Service, is a discredited and outworn attempt at patronage, will be recognised by everyone who has at heart the purity and integrity of the Bench ; and with the rapid Indianisation of the Civil Service, the claim made exclusively for the English branch will have lost all its force. But it may not be equally admitted that it is a feasible proposal to link the Bench in England and India in the manner set out above. It should not however be impossible to do so if we only desire to transplant and nurture the high standard of judicial integrity and detachment, which the Bench has strenuously cultivated in

the United Kingdom. The moral tone that pervades the atmosphere of the British courts of justice may profitably be infused into India and it would not be a surrender of judicial autonomy if we can implement the services of the ablest talent available in the United Kingdom. There is no immediate prospect of the Chartered High Courts being manned entirely by native talent and if the Indian Bar has also much to gain by contact with the versatility of its English counterpart, the attempt must be directed to secure the best that England can give. The field is now restricted to failures at the Bar here or to juniors who have "devilled" in the chambers of second-rate celebrities at Home. Men of real merit are not attracted to service in the active period of their lives; they prefer to keep their place at the Bar and allow themselves to be raised to the Bench, merely for the honor and prestige of the office, at a comparatively late stage in their career. There is no scramble for the place or knocking at the doors of Government House; it is an honor conferred on compelling merit. If some of the Judges of the English High Court could be induced to give at least three years of their service to work in the High Courts of India, the outlook for judicial reform would be far brighter than now. It

cannot be stated that there is not enough patriotism among the judges of the English courts to transfer a portion of their service to this country and it is certainly an attempt well worth making in place of the modern importation of impecunious "juniors" of influential leaders at the Bar.

If the plea for reform in the constitution of the Indian High Courts has not been as persistent as it is pressing, the fault is to be laid at the door of the innate conservatism of the Bar with its habits of precedent-hunting and aversion to innovations of any sort. Otherwise the volume of opinion would have gathered immense force in favour of manning the highest courts of justice with the best intellects of the empire, instead of letting it degrade into a happy hunting-ground of high-placed jobbers. It is the same instinct of conservatism that is responsible for the present system of recruiting the lower grades of the service from among beardless boys and immature youngsters. The administration of justice, it seems to be held, requires the same habits of energy and grit which are the sine qua non of an executive officer, and we find young men who have scarcely stepped into the great university of life and who may after all fail to graduate in it, entrusted with the supreme charge of appreciat-

ing evidence and unwinding intricacies of law, expounded before them by veterans at the Bar. The very idea of experienced leaders at the Bar, who have grown grey in the service of their profession having to "your honor" boys of yesterday, who might be no older than their own sons, must have struck the Government responsible for laying the conditions of recruitment as repugnant to the best interests of the service ; and the moral authority they can exercise can hardly be said to redound to their credit. It is notorious that in many places the seniors of the profession are hardly willing to appear before them by reason of the great disparity in age, experience and maturity. Time was when selection was made from among the experienced and learned members of the Bar without regard to the serious handicap of age ; in fact age was not a disqualification. The offer was sometimes refused by men who thought the trammels of service too irksome ; but the field is now restricted to " clever boys " who have done well in their schools, and spent a few years in walking the wide corridors of the High Court, managing occasionally to catch the eyes of their Lordships while they are yet too young to learn anything of life and its intricacies. The principle is vitiafing and positively harmful. It has failed to command the due respect and regard which courts

of justice must necessarily inspire among the litigant world. The Civil Justices Committee made a number of recommendations to avoid law's delay. They might very appropriately have considered the morale of the mofussil courts, recruited as they are from among youth and inexperience, from hustling busybodies and aristocratic urchins. Where there should be patience, training, experience and wisdom, there is impatience, conceit, arrogance and offensiveness. A judicial caste of young men has been formed, clever but not kind, intelligent but not learned, hasty but not quick.

The deficiencies of the system appear to have been seriously realised by the Government, who have endeavoured to tone it up by recourse to direct recruitment from the Bar to the ranks of Subordinate and District Judges. If properly and carefully exercised the innovation might have been of some practical use; but unfortunately they have become prizes for service done in other walks of life. The supreme test of efficiency and independence has not been the absorbing consideration; and the question of recruitment has therefore to be looked at from other and wider standpoints. If public interests have to be served by maintaining the judiciary in a state of desirable up-to-dateness, the conditions of service must entirely be changed. No

member of the Bar who has not put in at least twenty years' active practice, can be said to be duly qualified to deal with the grave task of adjudicating upon the property rights of their fellow subjects; nor can they be confided with it. It would follow that the minimum age for the conferment of the honor would at least be forty-five and may go up to fifty. In such a case the taxpayers would not grudge them a salary in keeping with their position, for what they pay in increased salaries would be saved in pensions. A twenty years' service with retirement at sixty-five would give a seasoned coterie of judicial capacity and uprightness which would be far more satisfactory than the present system. With age and experience entrusted with the task, the modern slovenliness would have disappeared; and, what is more important, the office too would have gained in status and dignity now much under lee-way. The choice must fall upon men who regard the post as one of honour and not of emolument. Otherwise the judiciary will continue to be a body of idle, slovenly and grievance-mongering caste of Vere de Vere. And their Lordships of the High Court, in whom the duty of selection will fall, will also be spared the ugly competition that annoys them at present and succeeds in carrying away the posts to the detriment of

character and capacity, which must be the only canons in deciding the choice.

If a defective system of recruitment in the civil branch of the administration has exposed it to the attack of immaturity and indecisiveness, that on the magisterial branch has exposed the broadside to the attack of every kind of wickedness and folly. The vesting of the magisterial duties in executive officers is a relic of a bygone age, when the Collector of revenue also exercised criminal jurisdiction in the provincial courts. The need for such a combination of power has a historic background; but that it had become out of date and objectionable was realised at least half a century before now. In the early days of the Congress the separation of the judicial from the executive functions, thanks to the exposures of Mon Mohun Ghose, formed an important plank in its deliberations. The wickedness of that combination was admitted by successive Viceroys; and Lord Dufferin gave it as his opinion that the separation of the functions was a counsel of perfection. It was poverty of the public purse that stood in the way of the desired reform. Lord Curzon was so struck by the volume of literature on the subject that he could hardly find time to include it in the couple of dozen problems to which he addressed

himself. He could not have immortalised his regime by approaching the delicate question of the whiteman's prestige. Where would the District officer be if, as head of the Police, he could not direct any man to be prosecuted before him and as Magistrate could not at the same time give him a couple of years of hard labour? He would be worse than an angry planter or an excited corporal. He would be a bird plucked of its plumage. And Lord Curzon who stood for the prestige of the service could not be guilty of a conscious effort in its degradation. His successors had not the knack or the grit to overcome the opposition of the service, even if they had the inclination to deal with the subject. That men like Sir Satyendra Sinha, Sir Ali Imam, Sir C. Sankaran Nair, Sir Mahomed Shafi, Sir B. N. Sarma and Sir Tej Bahadur Sapru—all ornaments of the legal profession—could not have raised their little finger in attacking this problem from their comfortable place in the Viceroy's Executive Council, shows that the hydra-headed monster is too much for their poor sport. It is some comfort to be told that it is still receiving the anxious consideration of the Government of India, not thrown out finally as a madman's freak. When the Greek Kalends come our little statesmen are sure to have tackled it; and

till then, for them their motto is, "after me the deluge".

And yet there is no deeper blot in the escutcheon of British rule than the method of dispensing the so-called criminal justice. To say that in the lower rungs of the ladder it is a failure, is to pay a compliment to the army of petty clerks who by sheer efflux of time find themselves thrust in the seats of the mighty. That a glorified clerk on a magnificent salary of a couple of pounds a week, far less than the wage of an agricultural labourer in the United Kingdom, exercising powers of sentencing a man to six months' hard labour can be expected to be above temptation, is to take a view of human character which must make a large draft on the credulity of even a professed optimist. When this dispensation of justice is only a part of his duties, a portion of his time being mortgaged to other and more serious work appertaining to the department of land revenue, the honest care and attention that can be devoted to the purely judicial part of the daily round can be easily imagined ; and when this officer fails, the law in its mercy has provided an appeal to the judicial mind of a Collector-Magistrate, his immediate superior as a revenue-officer. It is in grave cases that an appeal is allowed from convictions by superior magistrates

to a judge of the sessions division. The system perhaps could not be better when we realise that about a thousand to a thousand five hundred men are annually sentenced to be hung by the neck till they are dead without a right of appeal. A matter involving rights to property worth about a few annas may be agitated by an appeal to the District Court, and then to the High Court, and possibly to a Full Bench of the same court. If the value happens to be above ten thousand rupees even the jurisdiction of the Judicial Committee of the Privy Council can be invoked. But in a grave crime of murder if the victim fails to square up the matter with the investigating police—undetected murders are not an uncommon experience—he stands the chance of being hung by the neck and there is no appeal. A judicial system so merciful in its dispensation, cannot be shocked at the monstrosities of revenue clerks distributing punishment in a haphazard fashion. Truly is Justice apostrophised as blind! The anomaly of providing ample safeguards to the protection of the rights of property, by giving the litigant a competent and trained forum to agitate them, leaving the disposal of the sacred rights of the person to the tender mercies of elevated clerks, is laid at the door of the mediceval notion of British jurisprudence which, while providing

for a sheep-stealer being hanged, recognised the case of a man guilty of murder being let off with a fine. But Englishmen have outgrown such perversions. The latest reforms have been in the direction of humanising the administration of criminal justice. Two reforms stand out prominently in that direction. The right of an accused person to give evidence in his favour has removed the obstacle against the best testimony that a man can possibly tender in his favour ; and the creation of a court of appeal has recognised the possibility of a grave failure of justice even though zealously guarded by the argus-eye of an experienced judge and twelve level-headed gentlemen or gentlewomen of the jury. The need for desirable reforms in these directions is more keenly felt in India where the trial is not even by a competent jury. It is not stated that a trial before an experienced and competent judge of a sessions division always leaves much to be desired ; but it does happen that even among them a credulous mind is more persistently discovered than a critical one and the chances of an intelligent jury of one's own countrymen being in the right are great. It has not failed in those cases of offences against property in which the jury system is widely prevalent in the mofussil courts, nor has it failed in the High Courts where trials

are invariably held with the aid of the jury. A system of trial by jury in all grave cases and by competent and legally trained men in minor offences, with proper safeguards in the matter of appeals, is a long-delayed reform. The clerical magistrates must go and they must be replaced by men specially trained in the profession of law. A handy solution would be to take away the administration of criminal justice from the original and appellate jurisdiction of the chief revenue officer of the district and vest it with the judge of the sessions division, the recruitment of subordinate officers being vested, as in the case of civil judges, with the High Court. The judges of sessions divisions even now exercise a sort of quasi-judicial control over the magistracy, and appellate and original jurisdiction in grave criminal offences. The transfer of the remaining power will have relieved the revenue department of what it is inclined to consider as a thankless task, for which it has neither the requisite aptitude nor the necessary training, and purged the administration of criminal justice of the odium that now rightly attaches to it.

If the literature on the subject of the separation of the judicial from executive functions is colossal, staggering even to the industry of Lord Curzon, that for the reform of the defective

method of dealing with appeals from Chartered High Courts, runs a close race with it. Thanks to the indomitable energy of Sir Hari Singh Gour, it has been raised in the form of the constitution of a supreme court for India to which all appeals, civil and criminal, may be made from the judgments of the various High Courts and Chief Courts in the country. With him it has become a hardy annual. The opposition to the suggestion has been more sentimental than real. It is not denied that there should be an appeal from a sentence of death either passed or confirmed by High Courts; nor can there be any substance in it when a court of criminal appeal has been found to be necessary even in the United Kingdom and has been constituted there since 1907. The only objection is that justice should not be inordinately delayed. It is sometimes better than justice denied. The Judicial Committee of the Privy Council has repeatedly ruled that it is not a court of criminal appeal. The rule in *In re Dillet* lays down clearly that His Majesty will not exercise his prerogative—it is only the exercise of his prerogative on the advice of his Privy Councillors—"unless it is shown that by a disregard of the forms of legal process or by some violation of the principles of natural justice or otherwise, substantial and grave injustice has

been done." This has been repeated in every case in which special leave for appeal has been given. The refusal of the Judicial Committee to constitute itself into a court of criminal appeal, has not only deprived the subjects of a forum which would review the grounds of conviction, but has also rendered nugatory the value of the judiciary as the chief custodian and protector of their rights and liberties from executive extravagances. It has on the other hand become a supporter and vindicator of executive misrule by reason of its inability to take a proper perspective of the condition of things and the local colouring of a far-off land owing to its inevitable absenteeism. It is unwilling even in matters of civil dispute to disturb a finding of facts in which courts below are agreed. The horror of absentee judges to upset a pronouncement by a competent subordinate court on questions of facts, whether in valuing property or appraising the value of oral testimony, is easily understandable; but such a policy, while it has the effect of narrowing down the jurisdiction naturally vested in them to review the whole evidence and come to their conclusions, independent of those of the courts below, once they seize jurisdiction, has the natural reflex action on the Indian Courts, who are tempted to approach the issue with less than the neces-

sary vigilance and consciousness with which they would approach it, if they were sure of a revision of their findings by an appellate court. Recent law reports abound in cases in which the self-denying ordinance and restrictive scope for operation which the Judicial Committee has imposed upon itself, have proved how illusory its powers may prove to be in settling disputed questions of law, or laying down sound principles of judicial legislation or upholding the liberties of the subjects.

The attack against the soundness of the later judgments of the Judicial Committee even in most cases in which it has assumed jurisdiction, cannot be held to be wholly unjustified. They have sometimes mystified the litigant world and in some instances the enunciation of startling propositions of law, which it had itself to correct not before considerable mischief had been done, has been the cause of the multiplication of vain and useless litigation. The reason for these lapses is assigned in part at least to the sort of retired Indian Judges who sit on the bench, a suggestion which would seem to go against the constitution of a supreme court from among the same source. And if a part of the Judicial Committee has necessarily to be recruited from among retired Indian Judges, the need for locating it in

England instead of in India is not very convincing. No inference as to its popularity can be drawn from the number of appeals filed, for that is the last resort; nor can the work before a possible supreme court be measured by the volume of work turned out by the Judicial Committee at present. As a judicial body it has developed into an anachronism and not over much interested in the work that it gives itself. It has been discarded as the highest judicial forum by all the major constituents of the empire. Every self-governing colony has set up a supreme court of its own and even the United Kingdom has transferred its judicial function to the ordinary courts. The chief role that it plays is that of a weak link of the empire, overworked by an anxious litigant public from India for lack of something better. A body which would be a final court of appeal in both civil and criminal cases decided in the Chartered High Courts and the Chief Courts, is increasingly felt as a desideratum and the question is whether the Judicial Committee can be reconstituted with appropriate safeguards or a new court formed for that purpose.

The gravity of the growing unwillingness to clutch necessary jurisdiction can be easily minimised by its taking a juster appreciation of its work than it is disposed to do now. Its

stationary character is the principal cause for the isolation of its vision. If it happened to be a peripatetic body bringing justice to the door of its seekers, the very high abilities and the wider imperial outlook that its training and experience give it, will have been amply justified by its results. It is the absence of a closer knowledge and a more intimate touch with the political atmosphere of the country that has deprived it of its usefulness as the constitutional safeguard of the personal rights of citizens against the encroachments of established authority. It is the same want of knowledge and touch with the economic conditions and legal systems of the people that is responsible for the transplantation of occidental notions on the time-honoured and well-established jurisprudence of the Hindus and the Mahomedans. The cure for this defect is the establishment of effective contact by the members of the Judicial Committee through the more direct method of personal visit and inspection, with the land and the peoples whose legal rights their judgments are so profoundly shaping. It is estimated that a hundred appeals are admitted by the Judicial Committee each year ; and possibly the number may be trebled if the Committee shifts the venue from Westminster to New Delhi. If two batches of

in which case the judiciary and not the legislature would be the best forum. Such questions are likely to arise in a rigid constitution where the terms are reduced to writing and embodied in statutes. In a federal as opposed to unitary type of government, the constitution has to be in writing and it is not uncommonly overloaded with details which might be better left for subordinate legislation and filled up by rules and regulations. These excrescences have been the cause of frequent references to the supreme court in the United States. In a self-sufficing country, where outside legislature there is no other body to decide conflicts between the state and its constituents or between the constituent states themselves, a supreme court is a necessary constitutional device to decide them. The constitution of India is laid down by an act of parliament and future amendments, alterations and improvements will be made by the same agency, unless the British Parliament surrenders it to the Indian legislature, subject to the safeguard of approval by the Crown—a remote and impossible contingency. It is certainly not likely to arise in the immediate future. The need for a supreme court to carefully watch, nurse and keep within limits of constitutional propriety and legality the relations between the provinces or between the provincial and central

governments, is not urgent. The ordinary courts may be expected to afford sufficient remedy in those cases where the statutes may have to be interpreted and acts of state may have to be construed if they are ultra vires.

It is more in respect of the reservation of the rights of citizenship which, it is suggested, should be embodied in a constitutional enactment, that the supreme court's place is properly urged. Analysed into their various elements, those rights reduce themselves into merely the personal rights to freedom of action and expression, to freedom from arrest and imprisonment without trial and to trial by jury. These are certainly desirable and necessary elements in the normal upkeep of a civilised state. The plea is essentially one for the reign of law in place of executive rule. The British people have won and have retained personal liberty and security of property to a preponderent degree without a declaration of rights being embodied in a legal statute; they are the common ingredients of their life. The same common law rights are applicable to India save to the extent they have been curtailed by law or regulations having the force of law. The repeal of the restrictive enactments should secure all the rights so curtailed. It is a necessary function of the legislature to remove the fetters which it has

imposed. So long as they are in operation, a supreme court bound to act within the four corners of the law, cannot overlook them ; and if they are removed, any invasion of our common law rights can be protected by the ordinary courts as reformed and placed under the High Courts constituted by Royal Charter and subject to the comprehensive jurisdiction of the Judicial Committee of the Privy Council. Their arm is sufficiently long for the purpose.

CHAPTER IX

MAIN FEATURES OF THE REFORMS

IT is claimed for the Montford reforms that they are a novel essay in the empirical science of politics in which the final word is not yet spoken ; they are more than that. They have had a far-reaching effect not only on the political institutions of the country, but on the very thoughts, feelings and aspirations of those who have to work them. Except in respect of two matters touching the stability and well-being of the state, the Army and the Judiciary, in respect of which suggestions have been made in the last two chapters, the changes effected in the internal organisation have been of a profoundly significant character. People who are actually engaged in the thick of the fight do not usually see all about the game ; their perspective is likely to be warped by what immediately captures their attention. And if extraneous influences have not distracted men's minds, they would have seen in the reforms, if not an instrument of immediate enfranchisement, but one leading on the high road to it. The efforts of the statesmen who wanted to build up a new tenement for the political wayfarer were genuine

and sincere and the plan was laid with the care of expert architects. If Mr. Lionel Curtis had not enthused over it and created a needless atmosphere of suspicion and distrust, even before the scheme was fully launched, by his wild and eccentric propaganda, the reception of the scheme might have been less cold. It was in some respects far in advance of the scheme propounded in the famous memorandum of the Nineteen or even by the joint labours of the Congress and the Moslem League. The significance of the reforms does not consist in the measure of self-government actually secured, which is not great, but in the spirit in which it came to be approached. Few can deny that if the broader outlook and political vision that guided their illustrious authors governed their successors, there would have been a safer voyage and in a less tempestuous sea. That the reforms broke through the citadel of irresponsible bureaucracy in some material respects at all events cannot be denied; the breach having been made it is for those who are in the forefront of the fight to make the onrush. The collapse is inevitable if they only press forward as Mr. Montagu so hopefully anticipated they would.

But there is a needless wail that the reforms have proved a failure. It comes from friend

and foe alike—from friends who are anxious to decry the dyarchical experiment in the provinces, which is their main feature, and from foes who discredit any attempt at constitutional development towards autonomy. If the failure consisted only in the clogs that have been discovered to prevent the smooth running of the administrative wheel, there is nothing to be said against it. They are inevitable and have been clearly anticipated. It was definitely laid down that five years after the first meeting of the reformed Councils, the Government of India should hear applications from either the provincial governments or the provincial Councils for the modification of the reserved and transferred lists of the provinces; and that after considering the evidence laid before them they should recommend for the approval of the Secretary of State the transfer of such further subjects to the transferred list as they think desirable. It was expected that this examination by the Government of India after the lapse of five years, would be of value in enabling the allotment of portfolios to be re-determined in the light of the experience gained during that time; and it may be surmised that if the smooth running of the dyarchical machinery was impossible for no fault of the ministers in charge of the transferred departments, more of the

reserved subjects should be transferred to them than was originally contemplated. No step appears to have been taken by any provincial government or provincial Council for the redistribution of the portfolios or for the regrouping of the reserved and transferred subjects in accordance with this proposal. Neither the "happy family" of Ministers and Executive Councillors that has tenanted the "benighted presidency"—once opposed to dyarchy as not only being unsound in principle but also unworkable in practice—nor the unruly children of Bengal or the Central Provinces, took advantage of this arrangement for bringing about the ad interim changes provided for in the Montford report. The only step taken was in pursuance of the resolution of the Legislative Assembly in 1924 to summon a round table conference of the leaders to arrive at the terms of constitutional settlement independent of the result of the working during the first quinquennium. Sir Alexander Muddiman's Committee made a farcical suggestion which completely failed to take note of the temper of the people or the needs of the time; and the report was not even an answer to the demand specifically raised on this point by the Montford report.

If there is a clog in the administrative wheel, hindering the efficient working of the

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machinery, it must be attributed as much to the personnel as to the inherent defects of the machinery itself. It may be remembered that the Cabinet system prevails in the executive councils of both the Viceroy and the Governors, by which each member is in independent charge of his portfolio and his decision is final, except in those matters, where it may impinge upon other departments, in which case the matter is placed before the whole Council. The introduction of the non-official element was purposely designed to impart freedom from departmental bias and hide-bound officialdom in the carrying out of the administrative policy; and if the Indian members, instead of betraying their views, seek to modify and influence official opinion, they have profound opportunities of doing so. In the Viceroy's Council, out of six ordinary members of Council excepting the Commander-in-Chief who, it may be presumed, rarely interferes in matters other than military, three are Indians. The reforms gave two seats more than the previous record. And these three members are in charge of very important portfolios. If they are men of grip and capacity, they can take decisions and effectuate reforms in which a fair-minded Viceroy may usually be expected to acquiesce. But if they permit themselves to be pulled by their civilian Secretaries,

either for lack of courage or understanding, there is no use condemning the machinery of administration as a foreign bureaucracy ; it is half Indian and half European. In the provinces the result should be even more gratifying. There are only two Civilian members in the major provinces in a Council of four, the other two being purposely recruited from non-official intellectuals. There are, besides, three ministers, all of them of course Indian. Thus there are five Indians as against two civilians to make up the local government. In the minor provinces, where there are two ministers, there are also two councillors one of whom is a Civilian. Three out of four are thus Indians. If the Indian members of the Council, chosen for their representative character to bring a fresh mind and independent views to bear upon the policy of the Secretariat, could only combine with their ministerial colleagues, the resistance of the only or even a couple of members of the Civil Service could not keep them permanently at bay. It is easy to imagine, though difficult to concede, that it is the unnatural division into Executive Councillors and Ministers instead of Civilians and Indians that is responsible for the clog in the wheel. If the Indian members of the government, no matter whether they are responsible to the local legislatures or the British Parlia-

ment, have ordinarily united and endeavoured to further a common policy, the heads of administrations would not have ventured to treat the Ministers with scant courtesy as they are reported to have done in certain provinces. They have forgotten for the nonce that they are Indians first and officials afterwards.

In the explanation for this striking phase of our political life, lies the chief cause for the estrangement between the reserved and transferred halves instead of between the Indian and European groups, if it should exist at all. How happens it that the Indian member of Council develops into a bureaucrat as to the manner born ? The answer at the first blush would be that the wrong men have been pitchforked into places of pelf and power. It may be true to a certain extent ; but it cannot be that it is invariably the case. Is it due to the system of portfolios whereby each member, claiming full responsibility for his acts, permits himself to be manipulated by the omniscient secretary ? That is a charge which would be disavowed by everyone who has hitherto been the holder of such high office. It reflects gravely on their honor and capacity to own that they are mere tools in the hands of the permanent secretaries. Is it due rather to the fact that in the isolated irresponsibility to the legislature, whose vote

cannot affect their tenure or policy, they find a way of escape to the instinctive development of the autocrat? This would naturally strike the ordinary citizen to be the principal cause of the deplorable situation. From the point of view of the Councillor himself, a safer retreat would be that he has to hold himself responsible to the Secretary of State for India in Council as the mouthpiece of the British Parliament, and that he cannot contravene or act against his declared wishes. A member of the Executive Council is only a salaried servant of the Crown and does not hold the analogous position of a member of the British Cabinet, bound to resign his post if he does not approve the policy of the Government. He can only indite minutes of dissent, but should otherwise obey orders. That of course is a constitutional position correct in the case of the Civilian members who have risen to the top by virtue of the contract of their service. But it cannot equally hold good in the case of non-official incumbents who have been chosen for the very purpose of liberalising the administration. A Council membership is not a sop to silence an inconvenient politician for a period of five years; it is rather an act of sacrifice on his part to associate himself with the Government whose policies he had strenuously combated and which he is given an opportunity

to influence for the better. With such a conception, there must be an identity of aim and purpose between the Indian Executive Councillors and the Ministers, which would not have created any deadlock if it was very much in evidence.

The practical Indianisation of the local Governments and the semi-Indianisation of the Central Government have not, however, infused a national outlook to the character of the administration. The reason for this strange phenomenon must in part at least be attributed to the reservation of the most important branches in the hands of the civilian groups of members. In the Central Government the important portfolio of Finance, Railways, Commerce and Home are in the hands of Englishmen and the Indian members are in charge of Law, Industries, Labour, Education, Public Health and Lands. The subjects on which Indian members can exercise influence or control are in the main subordinated to the problem of finance. Neither education nor public health can thrive without adequate financial support; and when transport is in the hands of an European member of Commerce, railways cannot be made to function as an effective lever in the development of indigenous industries or even as a cheap means of internal transport. A similar

tale is also told in the provinces where the Revenue and the Home departments are in the hands of European members. Finance was also till recently, and still continues to be in many provinces, in their hands. Such a reservation does not argue in the case of its holders an anti-Indian bias ; and it may even be conceded, that, in certain cases, the duties are discharged with manifest sympathy and wider public outlook. But a bold experiment on truly national lines cannot be ventured by them. A dilatory policy, even where vigorous initiative is incumbent, is all that can be hoped for and is being achieved. In nothing has it been more strikingly demonstrated than in land revenue legislation, a matter which was the subject of keen controversy, till the war subordinated the importance of land revenue to the tax on incomes and customs revenue in the fiscal system. The Joint Parliamentary Committee in 1919 directed the provincial governments to undertake legislation with a view to fix the principles of land revenue settlements and bring the assessments within the purview of the legislatures. So far, five provinces are reported to have attempted legislation and in none has it matured into an enactment. The Government of India would appear to have drawn the attention of the provincial governments to the recommendation of the

Joint Parliamentary Committee in 1920 and again in 1927. But nothing has come out of it. The Madras Bill at all events was vetoed by the Government of India in the department of Education, Public Health and Lands under the charge of an Indian Member of Council! And Sir Habibullah will one day explain who pulled the strings behind him.

It is a fortunate circumstance, therefore, that in the matter of fiscal legislation at all events the Joint Parliamentary Committee had to make no recommendation to the provincial governments. Tariff being an essentially central subject, the recommendation was made to approximate the policy to the desires of the educated and commercial opinion and the British Parliament was enjoined not to interfere when the Central Legislature and the Government of India happened to be of one mind. The Montford Report rightly regarded the question of tariff as mainly, if not wholly, a matter of domestic politics. It would be a moot question how far the fiscal freedom, perhaps the most potent instrument of self-government as yet conferred, has been wisely or discreetly exercised. But the appointment of the fiscal commission and its perpetuation in the form of a Tariff Board, whose object is to introduce after careful investigation, a measure of discriminative protec-

tion, mark the inauguration of a period of fiscal enfranchisement which is expected to usher in an era of industrial upheaval. Thirty five years ago the late Mr. Ranade deplored that "the political domination of one country by another attracts far more attention than the more formidable though unfelt domination which the capital, enterprise and skill of one country exercise over the trade and manufactures of another. This latter domination has an insidious influence which paralyses the springs of all the various activities which together make up the life of a nation ". So far as government can prevent the drying up of the springs of human endeavour in the field of commerce and industries, the measure of fiscal independence that has been vouchsafed by the reforms, is enough to effectuate the purpose. That the cotton industry in Lancashire does not stand aghast at the activities of the Tariff Board, or even the protectionist firebrands of Bombay, is solid testimony to the moderation of the use of the new-created liberty. It may be too early to predict how far the same continence will be observed in the years to come when fiscal wars break out with irresistible violence ; but the attainment of autonomy in this essential respect must presage its coming in a larger measure in other activities of state.

To revert to the constitutional changes, the effect of the Indianisation adverted to above, has been somewhat neutralised by the closer grip which the Secretary of State has begun to exercise on the Central Government and the Central Government has in its turn begun to exercise on the provincial governments. In wishing bon voyage to Sir John Simon on his first visit to India, Lord Birkenhead let fall an expression which indicated in sufficient outline the strength of the hold he, at all events, was exercising over the Government of India. He declared that thenceforward he would not interfere in Indian affairs, but leave it to the unfettered discretion of Sir John and his colleagues. Such an expression only confirmed the impression that in every matter of wide policy, the grip of the Secretary of State for India had not been relaxed; but had rather been tightened lest it should be affected by the vociferous expressions of the reformed legislatures. A striking instance of such intervention has been given in respect of the Reserve Bank Bill. In the middle of the discussion of the Bill, when certain important clauses had already been adopted by the Legislative Assembly with the concurrence of the Government of India, the Secretary of State interposed his veto and the Finance Member had to defer its further con-

sideration till he had personally interviewed his master. Sir Basil Blackett undertook a journey soon after the autumn session of the Assembly and the result of his confabulations with him was the re-publication of the discarded Bill in a new form. Without entering into the comparative merits of a shareholders' Bank, a state Bank or a stockholders' bank or even the necessity and advisability of a Reserve Bank at all at the particular juncture of the monetary history of the country, now that the Bill has been dropped, attention may well be drawn to the constitutional impasse created by an overzealous Secretary of State, in the name of an effete and sleeping Parliament, who sought to intervene in the natural course of the passage of a Bill through the Legislative Assembly. The reforms have effected little or no practical change in the spirit of the legislative and administrative bondage of the Government of India to the permanent officials of the India Office.

The more important changes, however, have been effected in the provincial administrations, where a measure of self-government was assured in certain important matters, vital to the best interests of the country. The system has been attacked by the odious name of dyarchy; but it is really a transference of the

effective control of certain branches of administration to the legislatures and the Ministers directly responsible to them. It may well be deplored that only a limited number of subjects should have been rendered amenable to popular voice and more vital subjects retained for the reserved branch, under the false and imaginary superintendence, direction and control of the British Parliament. If, however, the authors of the scheme did not want to draw a permanent line of demarcation, but contemplated an early merger of as many of the reserved subjects in the transferred departments as experience would suggest to be desirable and prudent even in the short space of five years, the first definite breach from what has been the age-long preserve of executive authority and the emergence of a definite system of parliamentary government should have been welcomed. Let us realise too, that the subjects so handed over to the direct management of Ministers working within strict parliamentary limits, are the socalled nation-building ones, whose neglect has been a theme of well-merited reproach by the very men who have been invited to shoulder the responsibility of their future guidance. They include the vital matter of local self-government, which the Montford scheme sought completely to de-officialise, education, endow-

ments, industries, public health and rural sanitation. Of course all of them depend for their working on the support which the Treasury is prepared to yield and Finance is reserved for the executive. It may not be possible to draw into different watertight compartments the various branches of administration ; they are so closely interwoven and react upon each other. Especially finance is the connecting link and when that is a reserved subject, the fullest advantage from the quasi-parliamentary system cannot be derived. That is one and a serious limitation to the successful working of the reforms.

It was not anticipated, however, that there should be a practical division either in policy or responsibility between the two sets of governments. Although the Ministers are primarily responsible to the legislatures and bound to carry out a policy which should commend itself to the majority and the members of the Executive Council are to take common action in respect of the reserved branch, such an isolation must enfeeble the administration and rob it of the collective authority of the whole body composing of both sides of the Government. The spirit of the Montford reforms was that the Ministers should exercise as much influence upon the policies of the reserved half as the

reserved half should on those of the ministers, though the actual decision may be taken in each branch, by the Governor acting with the Executive Council on the reserved subjects, and the Governor acting with the Ministers on the transferred subjects. It was a composite executive under the strong unifying influence of the Governor that was originally contemplated, and it was also expected that the habit of deliberating as a whole would tend to preserve the unity of the government, while the special responsibility of either part of the subjects committed to it would be recognised by the Legislative Council and the electorate. In cases of serious divergence of views the Ministers are, of course, bound to stand by the legislatures so long as they command their confidence, but ordinarily the frame-work of the scheme made the entire government as one. Sir William Marris was perfectly wrong in holding that the Ministers were intended to have no art or part in the administration of the reserved half and they should mind their own business. Such an attitude, while depriving the Government of that collective responsibility for whatever decision they might take in either branch, must inculcate a habit of departmental isolation and aloofness, which the Cabinet system is intended to specially guard against. If the advantages of

a composite executive had been fully realised by heads of administrations like Sir William Marris, both the reserved and the transferred halves would have immensely benefited by the free and unfettered interchange of opinions and the whole government would have more acutely realised the view-points of the constituents as reflected through the legislatures and their chosen ministers than appear to be the case at present. In this the heads of administrations have only failed to catch the true spirit of the reforms.

That a community of purpose between the two halves of the Government was sought to be emphasised is clear from the provision in respect of financing the administrations that was originally suggested in the report and recommended by the Joint Select Committee of Parliament. The allocation of funds for the two halves was under the Government of India Act to be settled by rules to be made for the purpose and the Joint Committee rejected the proposal to ear-mark different sources of revenue for each side of the Government. The objections to pooling the resources urged in certain quarters were considered and properly thrown out. Ordinarily the question must be settled by the simple process of common sense and reasonable give and take as they are settled in

every unified government, and when difficulties arose by reason of a difference of opinion between the Executive Council and the Ministers, the Governor was to allocate the revenues and balances which was to endure for the life time of the existing Legislative Council. The merit of the recommendation is to make the Governor a sort of umpire, or arbitrator with plenary powers of action. The Joint Committee desired that the relation of the two sides of the Government in this matter as in all others should be of such mutual sympathy that each will be able to assist and influence for the common good the work of the other, but not to exercise control over it. They desired that the budget should not be capable of being used as a means for enabling ministers or a majority of the Legislative Council to direct the policy of reserved subjects; but on the other hand the Executive Council should be helpful to Ministers in their desire to develop the departments entrusted to their care. If it came to the question of actual control, the reserved half would cease to be responsible to the British Parliament as they now are in theory, but would come directly under the supervision of the local legislatures. Short of control, there was to be mutual influence and inter-action. The system does not seem to have failed so far.

and no Minister has till now appealed to the legislatures or his constituents that the Executive Council had played tactics of obstruction or the Governor had not been sufficiently sympathetic or fair-minded in the allotment of funds. At all events the charge has not been openly made. It is purely a question of personal equation. The financial balance would apparently seem to have been held even and worked without unnecessary friction, hardship or inequality.

In the matter of administration, however, apart from financial undertakings, the Ministers have been given practical freedom of initiation of policy and of action. Technically and in strict legal parlance, the authority charged with the administration of the transferred subjects is the Governor acting with Ministers appointed under the Act and not the Ministers acting under their own initiative. As the Governor is also charged personally with responsibility for the peace and tranquillity of his province, he would be entitled and bound to recommend the removal of a department from the transferred list, if he found the legislature bent on pursuing a policy in its administration which, in his judgment, was incompatible with the maintenance of such peace and tranquillity. And yet the Joint Committee recommended that the undoubted

powers of intervention should be exercised with great caution and that Ministers must be allowed to exercise their powers with the utmost possible freedom. If after hearing all the arguments the Ministers should decide not to adopt the advice of the Governor, the Joint Committee laid down that he should ordinarily allow Ministers to have their own way, fixing the responsibility upon them, even if it may subsequently be necessary to veto any particular piece of legislation. "It is not possible but that in India as in all other countries", they wrote, "mistakes will be made by Ministers acting with the approval of a majority of the Legislative Council, but there is no way of learning except through experience and the realisation of responsibility". That obviously contentious measures, which had provoked a storm of opposition, should have been permitted to be passed and assented to just because the Ministers had a following in the legislatures, without the exercise of such veto, is clearly indicative of the respect, which provincial governors had indicated a readiness to show, towards the policies of Ministers having the clear backing of a majority in the Councils.

The division of subjects into two categories, reserved and transferred, in the Provincial Governments, is the outcome of a prior division into central and provincial. Into the administra-

tion of central subjects no responsibility has been deemed to be advisable to introduce. But the powers of the central legislature have been enormously increased both in the matter of legislative and administrative control in respect of them, even as those of the provincial legislatures have been enlarged in respect of provincial subjects. The most important feature is the power to vote supplies. In place of idle resolutions which took the form of recommendations to the Governor General on the budgetary heads, the votable part of the budget laid in the form of demands for grants, is now a matter of annual debate. The power to vote supplies is also conferred on the provincial legislatures. But these powers of appropriation of any revenues are curtailed by the right of the Governor General or the Governor who may certify that the demand reduced or voted against by the legislature is essential for the discharge of his duties, in which case they operate as if they had been assented to. The same power of certification is reserved in respect of all bills, whether taxation or other, and if they fail to pass in the Legislative Assembly or if leave is refused for their introduction, the Governor General may certify that the passage of the Bill is essential for the safety, tranquillity or interests of British India, and if the other chamber passes it in the

form recommended by the Governor General, it shall become law ; and if not so consented to shall on signature by the Governor General become an Act as aforesaid. Similar power is also reserved to provincial Governors. This extraordinary power of legislation and taxation by certificates was not intended to be exercised as a normal feature of the administration. But government by certification is not an abnormal phenomenon. It has led to very curious results in its working. The Governor General once certified that the doubling of the salt-tax was in the "interests" of India ; but that shortly after the reduction was made shows to what abuses the powers may be put by authorities driven by the ironies of exigencies. The Governor General has so far used his powers on five occasions, once when the legislative Assembly refused leave to introduce the Indian States (Protection against Disaffection) Bill in 1922, again when the Indian Finance Bills of 1923 and 1924 and the Bengal Criminal Law Amendment (supplementary) Bill 1925 were not passed in the forms recommended by the Governor-General and this year in restoring the cuts made by the Assembly.

If certification is a process of legislation when the passage of a Bill is essential to the "safety, tranquillity or interests" of British

India or any part thereof, legislation by regulations and ordinances can be freely resorted to when the "peace and good government" of any province or any part of British India require it. The regulations and ordinances are subject to disallowance as an Act passed by the Indian legislature and may be controlled or superseded by any such Act. But so long as they are in operation they have the force of law and to that extent are a negation of the rights of the legislature to be the exclusive agencies for the adoption of legislative measures. It is by virtue of this power that the rights of British citizens to freedom of speech and action are invaded whenever the executive thinks it convenient to do so. The popular desire to have a declaration of rights embodied in the constitution is the necessary outcome of the unfettered powers which the executive has reserved to itself by the Government of India Act and they are an encroachment on the sovereign rights of the legislatures. A panicky Government is always sure to entrench itself behind the legal barrier which these provisions set up and it is no easy matter to bring it to a balanced mood once it has availed itself of them. A popular government whose members are sufficiently in contact with the currents of public opinion will scarcely have need for such

extraordinary powers, whose very existence are a temptation to use them. Resist not temptation is an excellent sermon practised by the bureaucratic gods on the mount absolutely regardless of what passes in the valleys below. Emergency powers have a knack of lending themselves for frequent abuses and the legislatures cannot be too wary in abrogating their rights so innocently. Regulations and ordinances have too frequently been abused to be retained in the statute book, more especially if the rights of legislatures as the supreme law-making bodies are to be preserved.

CHAPTER X

THE WORKING OF THE REFORMS

THE principles underlying the reforms are laid down in a series of propositions in the preliminary chapter to the actual recommendations in the Montford report and they remain so far uncontroverted. They have been the pole-star guiding the various proposals that were subsequently made by the Government of India and the two committees on functions and franchises that were set up by Mr. Montagu to report on these questions. The Joint Committee of Parliament to which the Government of India Bill was sent up for detailed comment, assumed them to be the basic principle of the reforms that were to be inaugurated as a post-war gift of Great Britain to a loyal and long-expectant people. The first formula stated that there should be, as far as possible, complete popular control in local bodies and the largest possible independence for them of outside control. The placing of local self-government in charge of ministers responsible to popular legislatures has enabled the fulfilment and realisation of the pledge which, first given by the Marquess of Ripon, passed through stormy vicissitudes for

four decades before it could be fully redeemed. The warmest advocates of local self-government do not contend that mistakes have not been made; indeed enduring capacity can be acquired only by the shouldering of responsibility. But even the most carping critic must admit that the success has been far greater than was anticipated. Some of the premier corporations are a model of parliamentary institutions and can compare favourably with similar bodies in Europe. The corporations of Bombay and Calcutta with their historic associations and the sacrificing zeal of their members may not be an index of the extent to which the civic conscience has developed in the mofussil; but the extent to which the electors have responded to the call of the parties and of organisations which have the sole welfare of the people at heart, and the intelligence with which municipal problems are attacked, must cheer one with hopes of a still brighter future for them as voluntary and unpaid instruments for the betterment of all that corporate life connotes in the boroughs and the communes of the country.

The two propositions on provincial and imperial governments do not carry one very far into the domain of self-government, but they are the root-principles of the constitution as exists to-day. The provinces, they say, are the domain

in which the earlier steps towards the progressive realisation of responsible government should be taken. Some measure of responsibility should be given at once, and the aim is to give complete responsibility as soon as conditions permit. This involves at once giving the provinces the largest measure of independence, legislative, administrative and financial, of the Government of India which is compatible with the due discharge by the latter of its responsibilities. As for the Government of India, it must remain wholly responsible to parliament and, saving such responsibility, its authority in essential matters must remain indisputable, pending experience of the effect of the changes introduced in the provinces. The relaxation of the control of the Secretary of State for India is a purely domestic concern so long as the executive is not responsible to the legislature; and the fourth proposition therefore does not interest one very much. The language of the other two propositions as stated above is clear and unambiguous. Complete responsibility in all legislative, administrative and financial matters, as soon as conditions permit, is to be given in the provinces and the experience of the responsibility so given is to be the guide for the conferment of responsibility in the central government as well. The success or failure

therefore of popular government in the fields earmarked in the provinces is the test for complete responsibility alike in the provinces and the central government. The question then arises, what is success? What are the conditions which should permit the grant of complete responsibility in the provinces? And what is the sort of experience that it is necessary for a similar experiment being made in the larger sphere of the Government of India? Do we find them in the language of the report when, defining its objective to be the realisation of responsible government, it says, "we understand this to mean first, that the members of the executive government should be responsible to, because capable of being exchanged by, their constituents; and secondly that these constituents should exercise their power through the agency of their representatives in the Assembly"? These two conditions imply in their completeness that there exist constituencies based on a franchise broad enough to represent the interests of the general population and capable of exercising an intelligent choice in the selection of their representatives; and secondarily that it is recognised as the constitutional practice that the executive government retains office only so long as it commands the support of a majority in the Assembly. The report mentioned that

these conditions were wanting. Admitted ; but these conditions have since been created and have justified their existence. A party system has been developed with well-defined principles in many of the provinces and is actually at work. Even in Madras, where dyarchy promised as little success as possible, confronted at its commencement with the determined opposition of the executive government, the legislature is working on strictly parliamentary lines. The practical principles of the parties may not stand much scrutiny ; but that is a different matter altogether. That they represent the views of the constituents is enough. The dethronement of the Justice party and the installation of an albeit improvised independent party, is evidence of the activity of the two principles laid down as essential conditions for the successful working of responsible government.

The critics of the so-called failure of responsible government are likely to point to the two provinces where the Governor was sometimes forced to assume charge of the transferred subjects even during the short time dyarchy has been in operation. It is sure to be made much of by those who stand aghast at the grant of even the modicum of self-government that has been extended to the provinces. But it will be recognised on reflection that it is an active

symptom rather of the two conditions laid down in the Montford report. The assumption of control by the Governor was not due to the incapacity of the Ministers to discharge their duties or they failed to secure the confidence of the constituents. On the other hand, they only carried out the mandate of the constituents to "wreak" the reforms as they did not come up to their expectations. The constituents deliberately sent up men whose mission was to render unworkable the dyarchical experiment and the elected members stood by their election pledges. There is no mistaking the trend of public opinion, however much one might deplore the absence of political sagacity in the matter. It is notorious that the British Government is singularly averse to making concessions unless wrung at the point of the bayonet; and, as bayonets are not available, the next best thing is to make the administration impossible by all constitutional means. The object is clearly to irritate public opinion in England, which is said to be sound at heart, if only the heart could be located in the organism of State. The mandate of the country has been clear and unmistakable and the constituents have in many provinces returned men to the legislatures who have solemnly pledged themselves to make the work of government trying and difficult.

In that they succeeded in Bengal and the Central Provinces more than elsewhere; and it must be acknowledged that in these two provinces, at all events, there is a mutuality of trust and obligations between the voters and the candidates so essential for responsible government.

If, however, the dyarchical experiment in the provinces is said to be a failure, it is not because the Governor had to intervene to prevent the constitutional deadlock caused by the recalcitrancy of Swarajist obstructionists, but to causes more germane to the constitution itself. The men who at the commencement and during the next two general elections participated in the work of the legislature were men who, whether they believed in dyarchy or not, were determined to give it a fair trial and work it with tolerance and good-will. In the first elections non-cooperating congressmen purposely refrained from electioneering contests and the choice was left to those who had exhibited proofs of energetic cooperation in the framing of the scheme. They started on their career with an open and unbiassed mind and made if possible a determined effort to win for themselves laurels for statesmanly acumen and penetrating political vision. The Ministers specially chosen were not the sort who could in the slightest

degree precipitate crises or provoke quarrels. They were men who had made their mark in the political life of the country and stood to lose much if, by acts of omission or commission, the reforms began to wreck. If they had been assured by the Governor and the Executive Councils the cooperation they sought for and were told to expect, the echoes of discordant notes struck in certain provinces would have died away without reaching the public outside the Cabinet rooms; but the theory of the favourite wife, associated with the name of Sir Bampfyde Fuller, was unfortunately allowed to creep into prominence. It was not the Governor acting with, but overriding, the administrators that led to unseemly impasses. The Executive Councils became the favourite wives and the Ministers the discarded ones, and the manly protest which the latter had to make, ending in their resignations in some instances, mark the extent of the Civilian revolt against the partial encroachment on their undiminished sway. Where the matter ought to be adjusted by personal equation, it was left to be determined by a too dominant insistence on prestige and authority, with the result that a justifiable suspicion arose in the minds of the cooperating public that the heads of administrations, at all events, were not playing the game.

The principal reason, however, is the financial arrangement which made the work of Ministers a trifle too irksome. They were charged with those branches of administration which were not only safe to be entrusted to them from the point of view of a foreign and suspicious government, but those in which mistakes made could be easily repaired. They go by the high-sounding name of nation-building departments, whose well-being requires a constant and copious supply of money. Unless the finance department is sympathetically inclined to provide them with funds, the Ministers cannot discharge their duties efficiently and well. But the practical sympathies of the finance department itself are dependent on the available resources in its hands. The decade that has worked the reforms has been one of singular penury both to the central government and the local governments. The financial arrangement between them culminating in the Meston award and the devolution rules based upon it, has made a fixed contribution to the central government a first charge on provincial revenues ; and although the Government of India were not so sure of its extinction before a further examination of the whole question, leading to the evolution of a sound working policy by the first Statutory Commission, its realisation

has become an accomplished fact. According to the Meston award, a clean cut was made between the central and provincial finances, certain sources of revenues being handed over to the provinces to meet their expenditure, the rest being reserved to the Government of India. The divided heads of revenue which spread the risks were done away with and on principles which were usually claimed to divide the State from federal sources of revenue, the division was effected in what was till then the constitutional possession of the Government of India; and the provinces were also given a scheduled list of taxes which could be imposed if necessary to augment their resources. The sources of revenue thus retained in the hands of the central government were customs, incomes, posts and telegraphs, railways and the salt tax. The yield of the other taxes such as land revenue, excise, forests, stamps and miscellaneous heads was handed over to the free and unfettered disposal of the provinces for the services of both the reserved and transferred departments. The justification for this remarkable step, which has revolutionised the financial administration of the country, is based upon the erroneous and mischievous notion that "it would be ridiculous to introduce wide measures of administrative and legislative devolution and at

the same time to retain a centralised system of finance".

The financial separation is the culminating point in the attempts at decentralisation which, beginning from the days of Lord Mayo, has passed through various stages of financial inequalities and provincial antagonisms ; and the authors of the Montford report were not unaware of the hardships and injuries that might be caused by the perpetuation and accentuation of these inequalities and rivalries. They recognised the impossibility of extending the principle of equality to individual heads of revenue, but aimed at reaching equality of treatment as between one province and another in the settlements as a whole. If the separated heads of revenue provided both the central and the provincial governments with the funds necessary to carry on their administrations, the one making no contribution to another, the inequalities might be covered in the main ; but the Meston award finally allocated the provincial contribution of nine crores and eighty three lakhs, which was the deficit of the Government of India in 1921-22 by this arrangement, in different proportions, varying between fifteen lakhs in the case of Assam to three hundred and forty-eight lakhs in the case of Madras. The contribution of Bombay was fifty-eight lakhs and

of Bengal was sixty-three lakhs, Burma paying only a lakh more than Bengal. The Central Provinces and Berar were let off with a paltry twenty-two lakhs. The honor of competing with Madras was given to the Punjab and the United Provinces, the former being mulcted in a hundred and seventy-five lakhs and the latter two hundred and forty lakhs. The wisdom of this measure found justification in the apology of the Montford report that the objection was one that applied to existing inequalities which, it admitted, the scheme failed to remove. It merely continued the disparity which was masked by the system of divided heads. Like all pious aspirations it was not intended to be of a final nature and when revenues develop and a revision takes place under normal conditions, an opportunity, it was expected, would arise for smoothening out inequalities. Even if it did not, it would be open to re-investigation at the end of ten years. The following apology is a sufficiently enlivening comment upon the unequal price which in terms of hard cash the provinces had to pay the reforms: "We have, for the present, accepted the inequality of burden which history imposes on the provinces, because we cannot break violently with traditional standards of expenditure, or subject the permanently settled provinces to financial

pressure which would have the practical result of forcing them to consider the permanent settlement. But it is reasonable to expect that with the growth of provincial autonomy any inequality of burdens will be resented more strongly by the provinces on whom it falls".

It would be a just inference from the above that the solution was sought to be achieved by setting the provinces by the ears. The Meston settlement satisfied none, not even the Government of India. Sir Malcolm Hailey put the extreme view when he said, "Lord Meston's Committee worked on our assumption that the deficit of the central government at the initiation of the reforms, to be made good from contributions from the Provinces, would be 983 lakhs. Now, that figure was arrived at upon various assumptions, two of which were of great importance. The first was the 2 shilling rate of exchange; the second is a military budget of 43 crores. The non-realisation of the first assumption means, on the present figures of our home charges, a difference to us of no less than 15½ crores a year. As for the military budget, although the strength of the army is not greater (it is indeed somewhat less) than the pre-war strength, the cost is some 20 crores higher than the 43 crores we assumed. I would ask therefore, those who desire to see

that settlement upset, to consider whether an impartial Committee now arriving in India to effect a new settlement might not take a different view as to the amount of the contributions necessary from the provinces in order to enable the central government to discharge its fundamental duty of securing the country's defence, maintaining internal peace, and the service of the national debt". Happily he did not remain in charge of the finance department to carry the implied threat and Sir Basil Blackett's endeavour has been to remove the sore troubling provincial administrations. He began his regime with the determination to reduce and eventually extinguish the contributions. The financial department had already thrown a sop to recalcitrant Bengal by waiving its contribution of sixty-three lakhs for a period of three years ending with the financial year 1924-25; and Sir Basil followed it up by attempting a release of a crore and a half of the total subsidy in the second year of his office. But the Assembly negatived his financial proposals for the year. It was in 1925 that a sum of two and a half crores was distributed according to a scale fixed by the devolution rules and a further non-recurring grant of fifty lakhs was made to four provinces to enure for a period of one year. In 1926 the whole of the surplus

was diverted to the remission of the contributions which stood reduced to four crores and thirty-eight lakhs. Last year the total fell short of the amount required to extinguish the whole amount by a crore and eighty-one lakhs. Whereas Bengal had escaped payment since 1922-23 and had been able to screw up a sum of over three crores, Bombay did not succeed so well. It got only twenty-two lakhs in 1925-26, besides a share in the proceeds of taxes on income specially devised for the benefit of the two advanced provinces of Bombay and Bengal. The remission of the balance in the budget for the current year closes the final chapter in a vexed and disgusting controversy.

The Meston settlement thus stood condemned the moment it was forged. That two of the richest provinces should, owing to the stereotyped scale of expenditure, have gone on liquidation, but for timely suspension in one case, and partial remission in another, is an eloquent commentary on the inequities of the award. It is surprising that on the same sources of revenue the calls of the provinces should have been so obviously unfair. The wiping out of the contributions must, if the award was fair at the commencement, give a needlessly generous subsidy to those provinces which paid a heavy toll and in this respect, Madras, the Punjab and

the United Provinces must be left with sums far in excess of what is remitted to the other provinces. The Montford report lays it down as a weighty proposition of financial purism that "if the provinces are to be really self-governing they ought to adjust their expenditure—including therein their obligations to the common interests of India—according to their resources and not to draw indefinitely on more enterprising neighbours". But these advocates of financial autonomy have had singularly hazy notions about the incidence of taxation on the people, who are called upon to bear both the provincial and imperial burdens on different standards and in varying proportions. The supreme test in an equitable scheme of federal finance is, what is the contribution that each province ought to pay for imperial needs? And then the question will arise, how far each province should tax itself for its own immediate needs. The basic obligation of provincial governments is the maintenance of law and order, whereas the primary duty of the supreme government is external defence. A higher place in the scale of urgency is occupied by the functions of the supreme government and the incidence of the imperial burden must fall equitably on all the provinces. It is for them afterwards to rearrange their domestic

wants according to their capacities. More ridiculous than even a centralised system of finance, is an inequitable distribution of the burden. To own that any attempt at theoretic calculation on which a uniform contribution from the provinces could be based, such as an equal percentage of revenues or a contribution fixed on a population basis, is useless, is to confess not so much an unwillingness to face the issue, as the utter impracticability of the solution.

The extent of the inequalities of the imperial burden shouldered by the different provinces cannot be accurately gauged by the nature of the revenues reserved for the central government. It will not be possible to say how the incidence of the customs falls on the various provinces as the duties are collected at the ports of some of the main provinces and their distribution cannot afterwards be assessed. We can only guess that per head of population it is more or less the same, though it stands to reason that the richer and the more developed provinces ought to be paying more than the poorer ones even per capita. With reference to the revenue from salt the incidence must be said to be more or less equal. Per capita there may not be any great inequality. The commercial services and other miscellaneous items are incapable of

apportionment among the provinces. The only source that lends itself for easy calculation is the tax on incomes. To take, for example, the accounts for the year 1925-26, Madras contributed 137 lakhs, Burma 177 lakhs, Bombay 350 lakhs and Bengal 594 lakhs. The minor provinces paid a disproportionately smaller sum. Behar and Orissa raised 35 lakhs and the Central Provinces only a couple of lakhs more, whereas the Punjab paid 61 lakhs and the United Provinces 81 lakhs. Such a contribution by the provincials to the external defence shows a disparity which cannot be corrected either by the customs or by salt, let alone the post and telegraphs, the railways and sundry miscellaneous sources that make up the revenue of the central government. The practical result of the arrangement has been that an unjustifiable increase in taxation has been imposed on the combined provincial and imperial burden to the extent required to wipe out the contributions. Ten crores of additional taxation simply for the purpose of placating public opinion and establishing financial autonomy in the provinces, to which heads of revenue could not be earmarked in a manner just enough to meet the demands accruing, is a trifle too much even for a country on the rapid incline to the rake's progress. And the ten crores represent a sixth

of the provincial expenditure in 1920-21, the year that marked the commencement of this financial experiment. It is a different tale altogether how the windfall has been disposed of by the provinces.

Even if this subsidy should be paid out of the normal growth of the revenues of the Central Government, it is open to the objection that it is not prudence to keep the level of taxation higher than what is necessary to meet the normal expenditure of the year. But it came to be paid out of extra taxation that was levied continuously as an aftermath of the war. Five years of successive deficits commencing from 1918-19 had accounted for a permanent debt of one hundred crores, and where a policy of rigid economy had to be enforced, the finance department started on a mad career of extravagance. The criminal improvidence of the Government necessitated the imposition of taxation to an extent which would have alarmed anyone who had not been inured to war-time spendthriftiness. The first session of the Legislative Assembly made itself responsible for increases in taxation to the tune of about seventy crores, of which there has been a reduction of twenty-four crores, leaving an additional net impost of forty-five crores. It may be remembered that the normal expenditure of the provinces in the

first year of the reforms was only sixty crores if we leave the contributions alone; with them the expenditure would be seventy crores. The practical effect then of the financial autonomy is an increase in the expenditure of the central government equivalent to three-fourths of the normal expenditure of the provinces. At the end of the ten year period, the imperial balance sheet shows an income and expenditure which was practically the same as the combined income and expenditure of both the central government and the provinces at its commencement. But the provinces were not idle. They did their best in augmenting their own sources of revenue, principally from the duties on stamps. The extent of additional provincial taxation has been seventeen crores. The patient sufferer is the tax-payer and in the attacks made on him by both the governments he has been crushed past endurance. Even the elastic conscience of the financial mentors would appear to have been smitten by the first fruits of self-government. Lord Inchcape was invited to overhaul the accounts on the expenditure side. His cut of eighteen crores was found a trifle too much for them. After making a show of retrenchment in those departments in which economy was in any event likely to have been carried out, the report was shelved. Satisfied

with the attack from the expenditure side, another committee was soon after appointed, this time to devise a scientific method of taxation. This committee took its work a little more seriously, toured round the country and brought forth a ponderous report, which may even now be seen on the shelves of secretariat libraries. Nobody seems to be the wiser for it, not even Sir Basil Blackett, and if it is decently buried, not a tear appears to have been shed over its obsequies.

That the high incidence of taxation and the extraordinary growth of public expenditure should have been possible of continuance, can be accounted for only by the circumstance that they are masked by the diversity of the agencies that raise and spend them. It would be impossible even in the pre-reform period to budget for sixty-two crores of extra expenditure, provincial and imperial; public feeling would have been roused from its torpor by the sheer weight of the burden. But it is all masked now by divided budgets and the ministerial claim to "develop" the nation. The evil of decentralised finance consists in the dispersion of criticism among various bodies of men in charge of the disposal of public funds. In theory at all events, and certainly in practice, a unitary cabinet and a member in charge of the sole

custody of the entire revenues, are expected to take a truer perspective of the various demands on their purse and regulate them equitably than different bodies of men responsible to widely differing agencies. A single finance member, responsible alike to the demands of the army and the demands of education, will take a juster view of his responsibilities than one who has only the army bill to pay and has no care or thought of the needs of education. A rich country like the United States of America or Colonies attempting to be rich, can conveniently ignore such little things as the burden of taxation, paid as it is in the end by borrowed capital ; but for a phenomenally poor people divided and multifarious administrations are fraught with unspeakable evils. The Finance Member of the Government of India has somehow to find money for the more urgent demands of the army and similar public services and as he is sure that it is the concern of his provincial colleagues to look after education or the maintenance of law and order, he does not care for them. Divided responsibility has become nobody's responsibility and a financial conscience hardly worth striving for. Economy has come to be despised as an old-fashioned creed that has outlived its usefulness. The paramount need for its practice is forgotten in the glamour

of socialist experiments and the enlargement of political power. The imperial patriot thinks only of imperial problems and the provincial patriot has no wider outlook than the boundaries of his native province. If the map of India is re-written on a linguistic basis, his vision would be narrowed down to the activities of a still more limited world.

The extinction of provincial contributions is not likely to solve finally the problem of decentralised finance; and Indian public men will have to consider whether a rigid system of centralised and responsible administration will not prove a more efficacious antidote to waste and extravagance than provincial autonomy. The failure of the Meston settlement has been followed by the recognition of the rights of the major provinces to share in the tax on incomes. For the purpose of exchanging the duty on general stamps with the tax on incomes, the Finance Member of the Government of Bombay suggested keeping the stamp-duty high, and a bifurcation of the stamp duty is suggested by the Taxation Enquiry Committee. Whether the Government of India would care to take over the duty on general stamps in lieu of a considerable share in the tax on incomes, it may be premature to say; and if they do, it will only have justified the

criticism that the greatest financial folly is to divide the control of taxation between two different agencies. It will certainly have given the go-by to the principle of autonomy and restored the old system of divided heads from which the authors of the Montford report struggled to be free. No scheme which fails to take note of the varying conditions of economic growth of the country can possibly succeed in establishing an equitable system of taxation ; and it would prove a labour of Sisyphus to allocate revenues equitably in the conditions of the different provinces. If Bombay and Bengal want a share in the tax on incomes, if Bengal wants a share in addition in the duty on jute and coal, if Assam puts forward a similar plea on behalf of tea, Madras on behalf of hides and skins and the United Provinces want a special subsidy for sugar, we shall have landed ourselves in such a morass from which it would be difficult for us to extricate. We should not be surprised if the provincial administrations put forward such proposals before the Statutory Commission, one of whose prime duties will be to adjust the financial relationship between the central government and the provinces. Apart from the howl which the weaker provinces may keep up for awhile, it will be certainly worth one's while to investigate if financial justice can

be done as between provinces by any method similar to the Meston settlement. The need for it is greater in view of the expert advice given by the Taxation Committee that there are no fruitful avenues of national income to explore, confirming the opinion expressed many years ago by Mr. Hope, once a member of the finance department; and of the pressing necessity to find substitutes for the gradual abolition of the drink revenue. If prohibition has not come to stay, it will at all events give a lot of trouble and he will be an imprudent student of finance who does not plan for a considerable decrease in that source of revenue. The nation-building departments craving for funds, the drink revenue threatening to die, new sources of revenue being practically extinct, it is in the practice of economy that the solution will have to be found. Economy with a capital E must be our watchword and a multiplicity of financial administrations is just the thing which will not secure it.

CHAPTER XI

THE FINANCIAL IMPASSE

THE considerations that are set out in the last chapter call for a thorough and independent investigation of the possibilities of any financial adjustment between the central and provincial Governments equitable as between them and also between the provinces themselves. Such an investigation being left for the first Statutory Commission, it is necessary to take stock of the conditions under which the distribution of revenues has worked ; and, if an equitable adjustment is not possible, to devise methods which would render justice to the huge body of the general taxpayer. There is no use mincing the plain and obvious difficulties of financial separatism if they cannot be overcome, because of the shibboleth of autonomy. The controlling factor in the distribution of functions is administrative convenience and in the assignment of revenues should be comparative fiscal need and between the two there is no necessary and automatic connection, said Mr. Charles Bullock, the distinguished professor of Economics of the Harvard University. Till the Montagu dispensation provincial governments

were so many administrative agencies organised for the purpose of convenience and various slices were carved out of the imperial revenue to meet their varying fiscal needs. The preposterous claim that every province was entitled to all or nearly all the revenue that could be raised out of it was never recognised till the Montford report raised the bogey of centralised finance committing havoc on the successful operation of responsible government in the provinces. If every province had developed its resources to a more or less equal extent and if there is an even distribution of wealth, financial burden can be imposed without the risk of upsetting equilibrium. But the provinces are unequally endowed; some are rich in agriculture, some in industries, some others in mineral wealth, while some are hopelessly poor. It would be absolutely impossible to distribute taxation, whether imperial or provincial, on any equitable principle from such varying sources of provincial wealth.

The difficulties of equitable distribution are sufficiently illustrated in the budgetary figures taken for comparison for both the central and provincial governments. That fertile student of Indian finance, Mr. K. T. Shah, had in conjunction with Mr. K. J. Khambatta, made an estimate of the total wealth of each province

and tried to work out the incidence of taxation therefrom in his interesting book, *The Wealth and Taxable Capacity of India*. Even allowing considerable latitude for calculations capable of easy mistakes, the general trend of their argument and the practical conclusions may be said to be approximately correct. According to an estimate made for the year 1923-24 by the two authors the total wealth for Bombay and Madras was about a hundred and fifty crores. The estimate for Bengal was forty crores more than these two provinces; and for the United Provinces sixty-five crores more. That of the Punjab was estimated at one hundred crores and Burma could raise but half of that. Bihar and Orissa were slightly higher than Madras and Bombay and the Central Provinces were estimated to yield half of Bihar. With such a distribution of national income what was the provincial and imperial taxation paid by each? Madras with a population of forty-two millions paid eleven crores to the central government and sixteen crores to the provincial government. Bombay with a population less than one-half of Madras, paid twenty-four crores to the central government, but only fourteen crores to the provincial administration, though the sum total was nearly fifty per cent more than Madras. The contribution of Bengal to the

central government alone with a population just four millions more than Madras, was equivalent to its combined contribution to both the central and provincial governments. To its own provincial needs, it pays another ten crores or thirty-eight crores in all. With a similar population, the United Provinces pay but a paltry three crores to the central revenues and four times that to her provincial needs, though her wealth stands the highest. With half the population of Madras, the Punjab pays half its revenue; but as between the central and the provincial governments the ratio is not two to three as in Madras but one to four. Burma and the Central Provinces have each a population of thirteen millions, but the former pays eight crores to the Central Government and the latter less than a crore whereas to the provincial governments their contributions are eleven crores and five and a half crores respectively. Bihar and Orissa had a population of thirty-four millions and yet paid a similar sum to the provincial government as the Central Provinces and less than two-thirds of a crore to the Central Government.

A consideration of these figures would show how false the pretensions of the Montford report to establish equality of treatment as between the provinces have proved to be. Judged from any

point of view the distribution is scandalously unjust and inequitable. Why should Burma and Madras pay to their own administrations one and a half times what they pay to the Central Government, Bombay a little over one-half, Bengal a little over one-third, the United Provinces and the Punjab four times, Bihar and Orissa more than eight times and the Central Provinces about six times? There can be absolutely no sense or meaning in such a distribution. In respect of the actual amount paid there is no sense of proportion, equity or justice. Assam pays forty-three lakhs for a population of seventy-six lakhs to the defence of the country and other imperial obligations, but Bengal and Bombay pay twenty-eight and twenty-five crores respectively for a population of about forty-seven and twenty millions respectively. Is the value of human life so cheap in Assam and so dear in Bengal and Bombay? But the absurdity of these provinces paying for their internal development a higher proportion than the contemptuously ridiculous sums they pay to the central revenues is even more sublime. The whole system is based upon the vicious principle that equality of treatment can be attained by allocating identical sources of revenue to the different governments. Allocate the sources how we may, it would be difficult to

adjust the incidence of the burden with tolerable certainty of attaining equality. It may even be questioned if the removal of the permanent settlement would restore the equilibrium now so difficult of achieving. The fact is invariably ignored that India is a continent with varying degrees of geographical and geological formation and cannot be split into fragments of equal natural wealth. The provinces have certainly not been formed with a view to engraft on them a federal system of finance. Apart from the question of the inequality of burdens being resented by the provinces on whom it falls, there is the wider issue of the practical impossibility of ever, and certainly in the near future, bringing the least developed provinces into line with the more progressive ones and secure for all a common level of financial and economic strength. It may not be so much want of enterprise as the presence or absence of physical capacities that account for the varying degrees of provincial development and these physical surroundings cannot be altered by reports of commissions however qualified and eminent. Such being the practical effect of the distribution of the revenue heads by the Meston settlement, the question is one of supreme importance whether a decentralised system of finance is after all a necessary symptom of responsible govern-

ment. The Government of India believed it was when they appointed the Todhunter Committee in search of the will-o'-the-wisp of a scientific system of taxation. The Committee were of course warned off the Meston settlement which was apparently held by them to be sacrosanct. Sir Charles Todhunter and his colleagues were hard put to ransack all the available text-books on taxation to devise a federal system which would fairly adjust the revenues to the calls of the central and provincial administrations. They were hampered by the practical topsy-turveydom of the political experiment which has reversed the process that has resulted in the formation of federations in Germany, America, Australia and elsewhere. Whereas these have come about through the association of States for common ends, say the Committee, the attempt in India is to break up one unitary State into a number of separate provinces whose Governments will each exercise a large part of the powers of the old Central Government. That those who are interested in creating and preserving a number of high-salaried posts should hasten the multiplication of provinces stands to reason ; but why the politically-minded few among educated Indians should fall slaves to such an unhistoric and suicidal experiment passes one's understanding.

The Committee deplore that whereas in the forming of federations elsewhere the dominating factor in each case was what the independent states which came together were willing to give up, in India it was what the existing central government thought it necessary to retain. And their own conclusions were based rather on the general inferences that can be drawn from the examples of federal governments than on the actual working of the division of revenue heads among the provinces so cut out. They are thus robbed of any practical value which they would otherwise possess.

And yet the analysis of the different sources of revenue and the balancing factors they suggest, does not indicate their own satisfaction that any system of federal finance is workable. They hold that import duties and revenue excises are necessarily imperial; land revenue and irrigation and fees, which include judicial stamps, are necessarily provincial; that non-judicial stamps and the excise on countrymade 'foreign' liquors ought to be transferred from provincial to imperial; that the whole of the revenue from opium might well be transferred similarly; and that other possible balancing factors are afforded by the export duties, the other restrictive excises and the probate duty. The Committee do not regard the use of these

as desirable if it can be avoided. If land revenue and judicial stamps are the only principal sources of provincial revenue from the point of view of pure theory, one wonders what would really be left to the provinces for their development. And when the rest are transferred from provincial to imperial government, the Committee recommend a consolation prize of a basic rate on personal incomes graduated proportionately to the general rate, and a small portion of the receipts of the corporations profits tax, following in this respect the example of Germany, which would be equal to the revenues they now derive from the provincial heads the transfer of which they propose. What the basic rate is to be and whether it would cover the cost of the transfer of the other sources, the Committee have not cared to work out. It is highly problematical if a basic rate on incomes and a share in the corporations profits tax would, even in such industrial centres like Bombay and Bengal, pay for the transfer of restrictive excise and general stamps. Even if it should be equivalent in value, the objection to divided heads of revenue must still hold. The Committee themselves admit that they make no claim that their scheme attains scientific accuracy. With that comment we may let it pass.

If the ideal of a strong centralised government broad-based upon a representative system is worthy of anxious pursuit, the practical difficulties in the way of a proper and equitable allocation of the revenue heads between the federal and state governments, afford another and no less valuable ground for restoring the authority of a single and undivided power to run the entire financial machinery of the country. No objection can be raised to the concentration of financial responsibility in the hands of a single individual on the score of the weight of the burden. After all the entire revenues of the country, imperial and provincial, oscillate about two hundred crores and a single Chancellor of the Exchequer controls the operation of many times that amount in the United Kingdom. It cannot be stated that when the Assembly is sufficiently strengthened and enlarged, as is sure to be, the claims of individual provinces will be left in the cold for a proper share of the resources of the state for natural development. The argus-eye of experienced critics will always be watchful of extravagance or waste. The vesting of the management of the railway property in the hands of a Railway Board indicates that in the matter of the grant of funds for necessary purposes distribution may be expected to be made

without favouritism or prejudice against the competing provinces as in the case of diverse railways. In fact the only guiding principle is the fiscal need of each province. That can be safely regulated and adjusted by an impartial Chancellor responsible to a keen and alert body of popular representatives. In such a case the provincial administrations will be so many agencies to carry out a well laid-out policy of the Central Government with no financial liabilities, risks or responsibilities of their own. The policy will be that of a single government wedded to the laying out of a just, reasonable and equitable method of raising revenues and allocating funds for public expense. The policy of segregating provinces and letting them work out their destinies as best they may, may profit the more favourably situated ones; but from the point of view of a people anxious to develop into a strong, virile and active force among the empires of the world, such particularist tendencies and uneven developments are least likely to develop an organic whole out of the congeries of provincial autonomies.

It stands to reason that the crude attempt at breaking up a unitary state into a number of petty principalities run by amateur administrators will not meet with general acceptance if the financial and political evils are properly

It is clear that this proposal has been made under the impression that there is to be maintained a distinct division of revenue heads between imperial and provincial; but the Committee have not gone into the question whether it should be. From the point of view of a just and equitable assessment and collection of income taxes, the organisation of a separate department has proved to be a source of oppression apart from its being a duplication of the machinery. It is a meaningless and crude attack against the revenue department that it made only a felicitous conjecture whereas the assessment is now made on a scientific basis. The men who are now drawn to the newly constituted income tax department are after all mostly the failures of the revenue department, whose nomination depends exclusively upon the will and pleasure of a junior member of the Civil Service elevated to the post of the Commissioner. Such a patronage, concentrated in the unfettered hands of a single officer, is open to grave abuse to which it has led. It is arguable that a revenue officer is more closely in touch with the people and has wider opportunities of knowing their economic and financial condition than one or two officers told off to checking accounts and assessing men on methods which are seldom brought to light, because they can hardly be.

However honest and efficient an officer may be, when he begins to assess on suppositious incomes, he must at least have some pretensions to knowledge of the financial resources of the assessee. The work which half-a-dozen revenue divisional officers, helped by an equal number of Tahsildars, were discharging before, cannot possibly be turned out by an officer or two, however whole-timed or trained he may be. It would seem to be common sense therefore to make the Collector the responsible district officer to assess and collect the income-tax along with the collection of the land revenue. Similarly registration as a department apart from land records, which are now in charge of the revenue department, is an expensive superfluity. The separation of excise from salt is admitted to have weakened the administration of both, and the Taxation Committee desire that the head of the district must re-establish contact with them to raise the tone of their administration. The same reasoning would apply to taxes on other transactions and fees. There is already a mutuality of interest, the head of the district being in a way responsible to stamp duties and to the farming of excise revenue.

It is worth considering therefore whether a single department of revenue, with the Collector of each district as head, should not be constituted which will be solely and exclusively responsible

for the entire revenues of the country under the charge of the Central Board of Revenue, of which the Finance Member of the Government of India will be the chief. Such an arrangement will do away with a lot of unnecessary departments and departmental heads moving in different circles, congesting and clogging the machinery of tax administration. The paramount importance of relieving the revenue officers of their magisterial functions and placing them under the direct charge and control of the High Court and staffs recruited by them, with a view to bring the administration of justice within the pale of the instruments of civilisation, has already been referred to; and if that necessary and long-delayed reform is carried out the revenue officers will be free to function in the only proper manner they are expected to. It is not so much the combination of cognate departments, as the unification of all the departments concerned with the administration of public revenues, that can give the most beneficent results. In such a case the Collector and his staff of subordinates will be confined to the purely administrative part of tax collection and assessment where required; but will have nothing to do with the laying out of the policy. An efficient body of tax-collectors, charged with no other task and directly answerable to

the Central Board of Revenue, might deprive the heads of the district and the Civil Service to which they belong, of the authoritative prestige to which they lay prescriptive claim ; but prestige apart, such a reform would long since have come into force but for the historical background out of which the present cumbrous machinery has evolved. Begun as a farmer of revenues the Collector has steadily managed to concentrate in his hands a number of disconnected powers ; but the control of policy in all matters has definitely been taken away from him and put into other hands. His proper function is to collect the revenue, farmed or otherwise, and as head of a tax-collecting department, he has a useful place in the economy of the administrative machinery. Incidentally there would be a considerable saving in the scale of pay which the reorganised service may require.

It may be pointed out that in this proposal to centralise the sources of public revenue, an attempt is only made to draw a red-herring across the tail of provincial autonomy. In reply, it may be urged, that the whole question of the machinery for the collection of different taxes should be regarded as quite distinct from the question of the assignment of the proceeds and as needing separate consideration. As Dr. Gilbert Slater has pointed out somewhat

analogous problems occur in England. In London the rates are collected by the Borough Councils; but having been so collected, part of the proceeds go to the Imperial Government (Home Office for Metropolitan Police), part to the London County Council, part to the Boards of Guardians, all of which 'levy precepts' on the Borough Council. The Boards of Guardians again, out of their share, have to pay their contributions to the Metropolitan Asylums Board and the Common Poor Fund. Even in fixing assessments for rates the Borough Council's decisions are subject to appeal from the rate-payers on the one hand and from the Inland Revenue Department of the Imperial Government on the other. It need not therefore follow as a corollary of the centralisation of revenues that there should be no decentralisation of public expenditure. The local governments whose abolition is not proposed and which in any event will control the tax-collecting service as the chief agent of the Government of India, may be employed in a similar capacity for the disbursement of moneys. In the determination of such expense the policy will be that of the Government of India, for the condition precedent to the imposition of taxation is the settlement of the purpose of its disposal. Revenue must be

raised to meet the expenditure and not vice versa. That being the case, the Supreme Government must necessarily decide the needs of the year and adjust the revenue accordingly. Financially the Provincial Governments will be mere automatons, the agents and instruments of the Government of India; but we need not regret the limitations of their activities. Within the sphere allowed to them, they have enough work to do and if they do it properly and wisely they will have given the necessary impetus to the successful working of responsible government both in the centre and in the outskirts.

CHAPTER XII

THE DIVISION OF FUNCTIONS

EVER since the days of Plato and Aristotle, down to the days of Locke and Hume, speculations have been rife as to the function of the State in relation to its subjects. Controversy cannot be said to have closed even with the rise of the communist and socialist movements in Europe. The mid-Victorian theory that the prime duty of the State is only to protect the country from invasion, to ensure peace within and administer justice impartially, has been given up as narrow and lop-sided. The socio-political doctrines of Wagner are getting a wider and increasing audience in every country and even the whispering galleries of the east reverberate with the echo of the demands for the State to use its powers of taxation to effect a fairer and equitable distribution of wealth. The plea for capital levy in England and the pressure for grants to 'nation-building' departments in India, have one common purpose, which is to utilise the organ of State for the ultimate end of society. It would be futile to discuss the justice or equity of the doctrines which have practically come

to stay. It cannot be disputed with any chance of even finding a hearing that society as an organism must be fed by the State as a political power, where such feeding is necessary ; and it is a preposterous claim of the Government of India that they have already taken a hand in such service. Their control of railways and irrigation works and their famine relief policy are invariably trotted out by them as instances of their effort in state socialism and to them may be added their agricultural loans, the co-operative credit societies that have cropped up under their patronage, the maintenance of forests and similar attempts which help and develop the natural resources of the country. Even their recent customs policy has been directed with an eye to ulterior purposes though not openly avowed. Perhaps they will claim their land revenue policy to be the supreme effort in the socialist experiments of the century.

If taxation is to be used as a lever to remove the existing inequalities in the distribution of wealth, it is certainly a matter of supreme importance that it is not mishandled by a number of semi-educated amateurs. It must be so guided as to give the least violent shock to the economic ordering of society and requires therefore the exercise of the best talent

available. It must be well-balanced and well-poised ; otherwise it would lead to unequal hardships and miseries. If the Central Government, for example, imposed a system which serves the ulterior purpose to a nicety, any interference with it by the Provincial Governments will upset the equilibrium and may prove oppressive. The object of the Finance Minister must be to so spread the burden that its incidence is borne equitably by all classes ; but when a number of competing authorities levy exactions the equilibrium must be upset. No sensible Finance Member can levy a rate of tax on incomes without at the same time paying due regard to the other taxes the assessee may have to pay. To take a common example, a heavy income-tax on the cotton industry, without any regard to the tax on land growing cotton, may have a deleterious effect on the industrial wealth of the country. If the customs were low, cotton-growing may even die as a result of a heavy land tax and there may be a stimulus to the import of cotton from abroad. Variations in land tax may even affect the position inter-provincially. A light tax may improve the position of the consumer to a great extent and may result in a higher yield from restrictive excises, or even give a stimulus to the production and consumption of healthy and useful

commodities. Every tax must have its reper-
cussion on the material well-being of the
consumer; and cannot be increased or decreased
without affecting the yield from the other.
When land tax or any other source of revenue
is urged to be particularly suited to the admini-
stration of a provincial government or vice versa,
it is certain that the advocates have ill-acquaint-
ed themselves with the ulterior purpose of
taxation and the need for a far-sighted and
coordinate policy in its regulation in modern
times. If the object of taxation is only to
raise the necessary revenue for the current
expenses of government, one system may be
as good or as bad as another; but that is
hardly the case. If the twenty-six or thirty
millions of "depressed" classes want special
treatment, special schools, special wells, special
houses and special representation, they have
got to be met out of special taxes borne by
communities more favourably circumstanced
than themselves and raised without creating
any impression of their being unjustly pen-
alised for the possession of their earthly
goods, possibly out of their own exertions. All
canons of financial justice therefore require
that taxation with an ulterior purpose must
be the function of a single and, therefore, the
central government.

Closely allied to the function of taxation is the loan policy for provincial purposes. The need for it cannot arise when the management of revenues is taken by the central government. There is absolutely no meaning in making the provinces responsible for the works to be met out of loan funds when they will have no revenues of their own. Provincial borrowing has become a common feature of decentralised finance under the mistaken notion that the people immediately concerned will apply greater scrutiny to public expenditure than a distant government at the centre. The loans are raised in the open market on the security of the revenues of India and they are certainly a greater asset than those of provinces however advanced in wealth, commerce and industries. The practical difficulties of a number of provinces and the Central Government competing for funds in a limited market are realised by every one in touch with it and the advantages of keeping distinct accounts by separate provinces do not seem to weigh against it. The basic principle is to make each province responsible for capital outlay within its own jurisdiction, there being no equity in asking poor Ramaswami of Madras or Chatterjee of Cuttack to pay for the extravagances of the reclamation of the Back Bay. It may be questionable if the

scandals of the Development Department would so long have been hushed in Bombay if the Central Government had been in sole and undisputed charge of it. But the doctrine of making each province cut its coat according to its cloth must necessarily lead to a progressive deterioration of the poorer and less fertile tracts, if to a rapid advancement of the richer and more developed ones. It would be extremely selfish of Bombay or Bengal to look to their own achievements and forget the barren and bleak regions of Rajaputana or Central India. The State is akin to a human organism and no limb of it can develop with impunity at the expense of others. Each has its place in the ordering of human life. It is unfortunate that the mischievous doctrine of the possible isolation of the material interests of the different provinces should have commended itself to those who talk glibly of provincial autonomy in a nationalist and united India.

If the supreme interests of the general tax-payers require that taxation on all heads should be a central subject under the management, direction and control of a central government, there would follow a remarkable change in the functions between the Government of India and the provincial governments. Some important subjects will be withdrawn from the latter.

reserved subjects under the provincial governments or as central subjects under the direct control of the Government of India. As reserved subjects they are under lesser gods and there is nothing to choose between them and the loftier ones in Simla. The divinities of bureaucracy are all of the same brand. But as reserved subjects they have the additional disadvantage in that for good or evil the provincial administrators have to take orders from their superiors at the Secretariat at Delhi, whereas as all-India subjects there is no such trouble except when the India Office is malignantly wakeful. Under present conditions no reasonable objection can be raised to the transfer of these subjects to the Government of India and one may be sure that under the critical supervision of the central legislature they have greater scope of efficient administration than now. As for excise, the cause of prohibition has been shamefully tinkered with by Ministers to whatever parties they belonged. Elsewhere there has at least been a confession of impotence to tackle it with courage and discrimination ; but in Madras has been witnessed a woeful and melancholy attempt to go back upon the recognised statutory control of the ministry to deal with it and add it to the list of reserved central subjects. And the confession was made by a responsible Minister

of State. Whether it is imbecility or perversity, one need not pause to consider; but there is no doubt that there is little chance of prohibition receiving consideration as an isolated measure of social reform. It must be attacked, if at all, from the broad stand-point of a fiscal measure, not merely as an instrument of moral reclamation.

The functions which the provincial governments are discharging are of a two-fold nature. They are agency functions on behalf of the Central Government and primary functions in respect of the subjects entrusted to their own administration. The former are more numerous than the latter and are in charge of the reserved half. The transfer of tax administration to the Government of India will not deprive the local governments of their obligations to manage the departments on their behalf. They will, however, be the media for carrying out the policy of the Central Board of Revenue which, under the Finance Member of the Government of India, will be the constitutional head of the unified department of tax administration. It is a function which the provincial governments need not employ a number of hands to work. Ordinarily the agency function ought to be carried out by the Governor with the aid of a Secretary. There is no question of responsibility

Principal among them would be land revenue, stamps (general and judicial), registration, excise and forests. They affect not only the reserved but also the transferred subjects. With reference to land revenue, the Southborough Committee had said that it could never be recognised as a purely provincial concern as the Government of India must always be vitally interested in the safeguarding of the great sources of national revenue, of which land revenue is one, though, under their financial arrangement, it is a source from which the provinces alone will draw. Similarly in the case of forests they are an imperial asset of which the Government of India can never cease to be vigilant. The property has got to be developed on commercial lines and on principles which must yield the utmost value to the State. Its preservation and development must be an object of anxious concern so as to subserve the utmost economic advantage of the country. The duty on stamps must be imperial at least to remove the absurdity of varying rates of levy between the provinces. Apart from the short-sighted injustice of a fifty per cent increase in certain cases, there can be no meaning in maintaining differential rates between adjacent provinces; but they appear to have been imposed, after they became a provincial subject, on no rational basis. The

same argument applies to fees for registration. It has got to be amalgamated with the department of land records and as a limb of the revenue department it ought to be run on cheaper and less costly lines. What ought to be strictly a fee has developed into a tax by reason of a separate establishment and the high cost of running a department in up-to-date bureaucratic fashion. The only subject which infringes on the transferred list is excise. The State control and management of the manufacture and sale of liquor seems to be the only way of tackling the problem of drink and a central administration determined to bring about its gradual extinction would seem to be called for alike from the point of view of the general health and morality of the people, as well as the safeguarding of the revenues of the State.

The transfer of these subjects from the provincial to the all-India list can by no means be said to be a piece of retrogression. Apart from the chances of these or any of these—barring of course excise—being transferred to the transferred list among the provincial subjects, they are at present under the constitutional control of the Secretary of State for India. There is practically little difference from the point of view of responsible government, whether they are administered as

on the part of the head of the provincial administration to his legislature in respect of these subjects. The agency functions are now distributed among two or four members of the Executive Council as the case may be, each of whom has his own provincial subjects to deal with. Even then they do not appear to be full-timed workers and the recent transfer of so many as sixteen subjects from the Law Member to other Members in Madras shows that the burden is not heavy on the Revenue, Home or Finance Members of the Council. The Law Member is practically out of work in the reserved half as the Development Minister has been in the transferred half ever since its organisation. The constitution of a separate secretariat for the agency work of all-India subjects, with the Governor as sole head of the department, will serve many useful purposes. It will keep the Governor fully occupied, assure the policy of the Central Board of Revenue being carried out uninfluenced by party feeling in the local legislatures, and liberate the other members of the Cabinet to the task immediately before them, which is the care and administration of the provincial subjects under their portfolios. It is necessary to emphasise the separation of agency work in respect of all-India subjects and placing it under an irremovable officer like the

head of the administration as it has an important bearing on the question of full responsible government in the provinces. With this necessary reform, the list of provincial subjects will be limited to a few important ones peculiarly appropriate to the management of provincial governments. Chief among them will be law and order, the administration of justice, prisons, police, education, local self-government, public health and religious and charitable endowments. Some of them are already in the transferred list and the authors of the Montford report genuinely contemplated the transfer of others from the reserved list as time advanced and experience advised its expediency. The gradual transfer of all the reserved subjects being the ultimate goal to be reached not according to a time-table, but according to the mode and humour of parliament, on the advice of statutory commissions, it is worth enquiring if the administration of the reserved subjects even now has suffered in any way by the influx of the Indian element in the Executive Council or has a chance of being influenced for the worse by popular legislatures. It may be stated that experience so far gained has in no way proved detrimental to their control being vested in Indian Members of Council ; and it would follow that they cannot suffer if they are transferred to minister

responsible to the legislative bodies. That such subjects as irrigation, landlord and tenant, fortnightly reports, elections, the administration of justice, police, European education, the press and industrial matters should have been left to the portfolios of Indian Members of Council and administered by them efficiently, argues an equal measure of success by popular ministers. So far as capacity for work is concerned, responsible Ministers are known to have held their own against European members of the Civil Service and the only question is, whether the transfer of responsibility to the legislatures is likely to affect their efficiency. In other words, can any of the subjects now reserved be said to bring on its train greater misfortunes by maladministration than education, excise or local self-government now in the transferred list; or suffer deterioration by legislative interference? They have everything to gain by friendly criticisms of the legislative councils whose members are drawn from a variety of castes, creeds and professions.

There is no disguising the fact that the Civil Service suffers from the belief that it has a right to retain permanently the important portfolios in its hand and the Indian Members of the Executive Council should be degraded to the humbler occupations of minor charge. The

unfair attempt in Madras to deprive the Law Member of the charge of irrigation and police, among other subjects, is indicative of the mentality of the Service grasping power, piqued perhaps by the successful manner in which their Indian colleagues are playing their part. There appears to be no more rhyme or reason in an European Civilian controlling the police or managing irrigation works than the legislature being deprived of the right to regulate the policy in respect of these and similar subjects. It is dependant on the faith that the Civil Service must be the master of the legislature and being of it, not being controlled by it. But responsible government has come to stay and gradually the Civil Service must adapt itself to a humbler role than of an over-riding master, which is that of a public servant in fact as well as in name. There is no reason why an European or an Anglo-Indian Minister elected to the provincial legislature should not as successfully handle them than a sun-dried bureaucrat and why he should for ever be denied that chance. Except in the rare cases where the provincial subjects are reserved for Indian legislation, the provincial Legislative Councils have ample powers of legislative control over them. It cannot be contended that administrative control is superior to legislative control except that it is more patent and

visible. There is no peculiar sanctity attaching to these subjects which make them unfit to be placed under the control of Ministers unless it be that the Services are mostly manned by Europeans who are averse to serve under Indian chiefs. The problem is one that rather affects the conditions of service. It would be an irony of fate if responsible government, for which the country may be fit, and which can be carried on by capable and efficient men, were to be denied by reason of the service being manned by men who think themselves of a superior race and refuse to take their orders from a subject race. And that would be the necessary implication of keeping the reserved subjects under the charge of the Executive Council. Especially when the administration of the revenue is taken out of them, the less vital subjects have no special claims for reservation.

Whatever the merit of the question of reservation the need for a rapid development of autonomy in the provinces, which is the non-official slogan for a unitary system favoured by most provincial administrations, is making itself unpleasantly vocal. There is not a party which is not opposed to dyarchy. The most subservient Justicite is as vociferous in its denunciation as the vehement Congressman and both are out to destroy it. The representative bureaucrats

have from the first been against it. The Government of Madras in prefacing their scheme for transfer subjoined a note in which it was stated that they had not in any way withdrawn or receded from the objections taken to the whole scheme of dyarchy and that nothing emerged in the course of framing the list which lessened their objections to the scheme. The Government of Bombay were unable to accept the scheme as one which was likely to work satisfactorily in practice. The objections of other governments were no less pronounced, though only modified in some respects. The idea of a cabinet being cut in twain, besides being foreign to the constitution of settled governments, has been singularly novel to Anglo-Saxon experience and it was introduced solely with a view to take a measure of Indian adaptability to European methods of government in certain departments. It was expected that it would founder on the rock of finance and it has done. The transferred departments had to starve for lack of funds in carrying on their policies, whatever they were, and they had to be content with the crumbs that were thrown at them by the reserved half acting in concert. It was a source of bitter disappointment to them that they could not embark on experiments which would arrest the attention and secure the

approbation of the electorate. The Ministers found themselves thwarted in their ambitions and they not unnaturally desire to end the tenure of holding office without power. The reserved half too were chafing under the influence which the Ministers sought to exercise on their policies, and though they have managed to regain their independence, they feel the constitutional impasse of a joint and collective responsibility, however much they can shelter under the supposed authority of the Secretary of State.

Having regard to the universal and irresistible demand for a unitary autonomy for the provinces, it is suggested that it is easier of achievement with the reforms adumbrated above. The necessity for the Secretary of State's intervention in the few subjects now in the reserved list, with taxation as a central subject, is not apparent or paramount and they can safely bear company with the other subjects in the transferred list amenable in common with them to the general supervision of the legislature. The administration of these subjects is not expected to overtax the three Ministers in the major and two in the minor provinces. They are at present angling for work which they fail to catch and if they find themselves a little too tired, they can get relief from two or three Council Secretaries whose appointment is

provided for in the Government of India Act itself. It may be remembered that before the reforms the Governor with a Council of three was able to do all the work now turned out by seven persons aided by a paraphernalia of Secretaries and Under Secretaries. It cannot be that the calibre of the public servants has suddenly suffered an eclipse, but that the work is being done with phenomenal slovenliness. The extra work which the legislature may impose can be turned out with the help of Council Secretaries on the same cadre which originally formed the Governor in Council in the pre-reform period. In other words the Governor will be supported by a maximum of three ministers in the major and two in the minor provinces. The enlargement of the Cabinet and the multiplication of offices has certainly not conduced to efficiency. With ornamental figure-heads, any number of men must fail to cope with the work; but with competent men as ministers, as good progress can be achieved as ever was done in the good old days of a unitary bureaucracy. In the interests of Service and of good government, a compact head of acute and intelligent men is necessary to run the machinery. As Sir George Cornwall Lewis has said, it is not the business of a Cabinet Minister to work his department.

quite a different aspect from that which it presents as long as the general control of the Government of India is retained unhampered by any restriction to special purposes". In passing it is important to note that the omission to add to the illustrative subjects cannot be accidental.

It is unfortunate that the consideration of its importance should be deferred till the transfer of pol~~ice~~^{and} and not before. Why the definition ~~as~~^{dear} no importance when the original list of transferred subjects was drawn up they do not say; but it only reveals the innate prejudice of the average Englishman against the capacity, sense of fairness and public spirit of the Indian, an unmerited reflection that he is singularly indifferent to the maintenance of law and order. It is a calumny to say that any responsible member of any of the different political parties winks at disorder or does not realise the serious consequences of it. It would only be sensible to hold that the attack is not directed so much against prominent public men as against popular legislatures who, it is feared, may interfere with its proper and efficient administration, in what manner it is not disclosed. There have of course been many attempts made in the various provinces by means of cut motions to raise the question of the unsatisfactory quality of the work turned out by the police. The executive holders of

power were as much enamoured with the high character of the work done by them when the Police Commission made their damaging report as now and never more so. But it is a baseless attack upon the public spirit of educated Indians that they would condone disorder in the country any more than corruption or bribery among the police force. To say that it is maintained in a state of efficiency is the very apotheosis of a farce and it would be a more honorable and straightforward method of controversy to own its defects and urge its improvement. To place it under the control of a Minister responsible to the legislature is to introduce light into the dark corners of its activities, not a thing to be dreaded. Law and order are essentially provincial subjects in every federal constitution and if the Central Government find that there has been a fall from the high standard in which they rightly imagine the police ought to be held, or intervention urgently called for, exceptional powers may be retained even as in the case of other subjects now in the transferred list.

It may be pointed out that the grant of complete responsible government to the provinces in all the subjects now reserved, subject of course to the limitation already stated, does not mean the absence of all control by the central government or contravene the unitary type of

government we should like to see established in this country. Both in matters of administration and legislation, when a subordinate government acts in contact with a superior one, the former will necessarily have its policy largely guided by the latter. The restricted control of the acknowledged authority of the Government of India may not affect on its administrative side the departments so transferred to the control of popular legislatures and it is only proper that it should not. But the exercise of concurrent jurisdiction in the matter of legislation, which will always be reserved to the Central Government, will impose an effective barrier to the passing of objectionable laws in respect of any matter so transferred. It would also be open to the Central Government to prepare a schedule of the more important subjects in which legislation may require their previous sanction. If so, the legislative and executive control over the provincial governments will be complete and sufficiently salutary in effect. An objectionable piece of legislation, affecting the morale or efficiency of the police or any other department, cannot be introduced in a provincial council in a hole and corner fashion. Above and beyond the legislature there is the force of public opinion to which it may have to bow. It cannot act surreptitiously. The fear is rather more in the

Ministers permitting maladministration by the employment of inefficient tools to carry on their policies. So far as courts of justice are concerned nomination will vest in the High Court and the personnel of the High Court in the Secretary of State on the advice of the Governor. The recruitment of other officers in the provincial branch may be left to a Public Services Commission whose duty will be to make the choice on principles which will be dealt with later on. It is enough to state that with a strong unitary government at the centre, guiding and controlling the policies of provincial governments, successful attempts will nowhere be made or tolerated to let responsible government suffer confusion or deterioration. Rather a spirit of healthy rivalry may be expected to be fostered among those who are in charge of them. The periodical conferences of Ministers who have made it a point to meet and compare notes are evidence of their anxiety to mark progress and development; they are encouraging symptoms of a living interest in the art of progressive government.

One of the beneficent results anticipated as a result of the restoration of a unitary government, once an irresponsible bureaucracy and now a responsible ministry amenable to an elected legislature, is the cost of running it.

The deprivation of seats for the members of the Civil Service in a Cabinet responsible to the legislature is the sine qua non of representative government. The place of a permanent Civil Service is not in the Cabinet but in the departments they run. They may hold the reins of power or pull the strings from behind ; make and unmake ministers or influence for good or ill the policies of the government of the day. They are known even in democratic countries like France to effect such a wide combination as to dictate the policy of government or place in power the party favourable to themselves. Bureaucracies are bound to thrive even in barren fields, and like prickly-pear they are an overgrowth the more barren the field. In India they have had their day and thriven as luxuriantly. The purpose of a vigilant democracy is to keep them in their proper place, to work them and get the best out of them. The presence of two members of the Civil Service in the Executive Council is responsible for the very high salaries that had to be paid to the Ministers in order to keep their estate. Motions for reducing them to a normal and reasonable figure have everywhere been opposed on the ground of invidiousness, as if the worth of the office is dependant on the salary attached to it. But argument is useless with those who know only a

monetary measure to the value of public work. The exorbitant salaries which had to be paid to European members of the Civil Service have had a baneful and demoralising effect upon the entire public services who are paid on a scale far above the rate obtaining in the richest countries of the world. Political life, however, has never been known to be a passport for the material advancement of the individual: It has long been known to be a school of sacrifice; the labour one of love. Of how many Ministers can it be said to be true ? With many it has been rather a place of personal glory and aggrandisement. The contagious example of the European members of the Executive Council has corrupted their comrades on the ministerial side. The spirit of an administration run by public-spirited Ministers working on a fairly moderate wage will affect not only the departments under them, but have a far-reaching effect on the morale of the whole body of the service they control. In the years to come, the problem of the cost of public service will be even more menacing than now and a Government by Ministers assessed at their proper value will have a wholesome effect on it.

CHAPTER XIII

THE CENTRAL GOVERNMENT

THE ways of Providence may be inscrutable ; those of statesmen certainly are. With the best of intentions possible they have imposed upon this continent the worst of constitutions imaginable. It has been an incurable creed of omniscient statesmanship that the educated Indian must necessarily go through a preliminary shooling in self-government before he qualifies himself for his final investiture, though contrary to all experience the tuition has been topsy-turvy. All experiments in the world of Anglo-India used to begin at the top that they may distil into the bottom ; but in this political laboratory it has been the other way about. Full responsible government was given in the field of local bodies and the boroughs and communes were freed from the incubus of official control. Partial responsibility was given in the provinces that they might profit by the example ; and some departments are already in the control of popular Ministers responsible to the legislatures. No responsibility, however, was given in the Central Government and it was expected that it would remain the cardinal

symbol of bureaucratic power foursquare against all the revolutionary winds that may blow. That was the ordering of human omnipotence in the progressive realisation of responsible government. Never did they think that our little systems have their day and cease to be contrariwise to our imaginings. How far complete autonomy in local bodies or partial autonomy in the provinces has helped in the political education one may not know; but that the last surviving citadel of bureaucracy in the world has been rudely shaken is unquestionable. The Central Government has been far more profoundly affected than any other organism of State by the reforms of Mr. Montagu.

What plummets are going to be used to take soundings of the political capacity as has been developed by the Montagu experiments is yet in the womb of the gods. Their nature and character, as they are being shaped in the Secretariats of the various Governments, may not be revealed. The touchstone of publicity may not even be applied to test the opinion of those whose conduct may be the subject matter of investigation by the Statutory Commission, thanks to the delicate consideration of Sir John Simon. Two things, however, may be taken as certain. It is not likely that the transferred departments will concoct evidence to show the

unfitness or inaptitude of the people for local self-government or indicate its failure in any part of the country. It will be a measure of their own condemnation. In many of the provinces amendments have been made to the statutes with a view to bring the administration of local bodies to a proper realisation of their civic functions. Where the corporations have not been sufficiently strong or enlightened, the Ministers responsible have filled up the vacant seats by the nomination of an elect coterie to redress the balance of the elections. So that there is no quarrel about the quality of the personnel entrusted with the choice of their administration. Again it is not going to be stated even on behalf of the reserved half that dyarchy has proved a failure in the sense of the men in charge of the transferred half not being up to the mark or failing to work with them in sympathetic co-operation. The patriotism, public spirit and the high sense of duty of responsible ministers are not likely to be challenged, nor their spirit of adaptability and accommodation to the changing environments of the times. What apparently is likely to be quarrelled with is the precipitate withdrawal of parliamentary control over some of the important subjects now in the reserved list without further experience gained in the work-

ing of the present system. That would be the most conservative estimate of the case for bureaucracy as may be placed before the Statutory Commission. What failings the highpriests of officialdom are going to marshall against the grant of responsibility in the Central Government, it is not easy to guess, for it is there that the impact of the new spirit has left the deepest mark. The Government of India to-day are more reasonable than they ever were and play their game in the open. There is no hide and seek ; there is a tendency to argue, to convince ; they have ceased to be overbearing ; and they stoop to conquer.

With such a change in the tone and temper of the powers of the mighty one should look to some serious obstacles to a definite step being taken forward than vested interests or racial antipathies. Even the most purblind cynic cannot deny that so far as character and capacity are concerned there is enough outside the charmed circle of the Civil Service as inside it to respond to the call of patriotic duty. Ever since Lord Morley ventured on the singular path of letting an Indian into the secrets of high policy even against the wishes of Royalty—and there were many besides who shook their wise heads against the novelty—not a word of regret has been whispered against it. Sir S.P. Sinha,

Sir Ali Imam, Sir C. Sankaran Nair, Sir B. N. Sarma, Sir Mahomad Shafi, Sir Tej Bahadur Sapru have been called into the confidences of the Cabinet and till now there were three Indians in the Council, Sir Mahomad Habibullah, Sir B. N. Mithra and Mr. S. R. Das. It is impossible that such a succession of men would have been summoned to share in the counsels of government if they were unworthy of the trust reposed in them. Most of them have played their part in the public life of the country and not an ignoble one at that. Some of them would have been acclaimed as popular ministers of the central legislature if responsible government had been introduced therein. It would be idle to contend that there are not others besides who can give a point or two to those who have been the fortunate recipients of official favour. Not to go very far, the front opposition benches in the Legislative Assembly can give as good a team of competent ministers as ever guided the destinies of countries. It would be invidious to mention names, but the Government of India are fully aware of the calibre of men who, for reasons best known to them, are kept out of official service to their fellowmen and confined to the barren activities of destructive criticism and perpetual opposition.

Nor can it be said that the Legislative Assembly has proved obstructive or incapable of appreciating the high purposes of government in the discharge of its duties. The central legislature is a bicameral system consisting of the Assembly and the Council of State, each having coordinate powers with the other. The Council of State has proved singularly responsive to official view-points on every question and where a tough fight is encountered in the Assembly smooth-sailing has always been experienced in the council of elders. It has proved the right arm of the bureaucracy. It can always be depended upon to ensure defeat of non-official opinion. The Government have never failed to approach it with success. Of the sixty members that constitute the Council, only a third are official members and more than half are elected. A combination of the official and nominated members cannot defeat any measure if the elected members are unanimous and of one mind. It is not merely the European group of elected members, but some even of the Indian group who have been found to stand in solid array against un-official public opinion. It would obviously be unfair to attack them on the ground of insincerity or of currying official favours; but the point to note is that the Council of State has proved a comfortable Cave of

Adullam of pro-official nominees. It cannot at all events be decried for want of tact and statesmanship. The real centre of interest is the Legislative Assembly whose immoderation from the official point of view may be set up as a reproach against it. If that is an obstacle against the grant of responsibility it is but a feeble one. Nobody has questioned the evident sincerity, ability and disinterestedness brought to bear upon the study and discussion of public questions by the members of the Assembly. Some of them at any rate have made appalling sacrifices which a deep sense of public spirit alone can justify. Remarkable testimonies have been paid by their official colleagues to the patience, good cheer and the spirit of conciliatory coordination disclosed by them in the drudgeries of committee work both on bills and in departments with which they are associated. And unless they are an eye-wash it cannot honestly be held that the Assembly has in any way failed to respond to the great and inspiring mission entrusted to it.

It is hardly necessary to review the work that has been turned out by the members of the Legislative Assembly in influencing the conduct and policy of the government both directly and indirectly; but not a single department has escaped the impact of its healthy and salubrious

criticism. To mention only a few of the more important directions in which policies have been influenced, one of the earliest attempts the Assembly made was to tackle the problem of external defence. A series of resolutions were passed in the first session of the Assembly and they formed the basis of the two committees, the Shea Committee and the Skeen Committee, that were set up to give practical and concrete shape to them, besides the Military Requirements Committee whose report has been subsequently shelved. The bills for the reconstitution of the Territorial forces and the Auxiliary forces recently passed are the outcome of their labours. If the proposals for an Indian Sandhurst have been turned down, they at least secured the valuable support of military opinion led by the Chief of the General Staff. The commercial and industrial policy was sought to be regulated on principles which an expert body, constituted for the purpose, was to lay down. The Fiscal Commission was appointed in deference to the wishes of the Legislative Council repeatedly endorsed and the Tariff Board is now actually advising the Commerce Department on all industries requiring and claiming protection. The separation of the Railway from general finance was the result of suggestions made in the Assembly and the convention registered in

the Simla session of 1924 marks an era of increased and progressive help from the railways to the revenues of the State. The Inchcape Committee was appointed in 1922 after the model of the Geddes Committee owing to the pressing demand of the Assembly for retrenchment and the infructuous Economic and Taxation Enquiry Committees were the tributes paid to the sagacity of those who pleaded for a sound system of taxation having due regard to the economic condition of the tax-payers. The Currency Commission was the result of the persistent clamour against the two shilling rupee which survived only on paper, but was able withal to work serious havoc to the trade and commerce of the country with the world without. The Agricultural Commission was the response to the continued agitation for the improvement of the condition of the peasant and the cultivator. The Government of India have repeatedly acknowledged their identity of purpose on the condition of Indians overseas; and the various deputations to South Africa, Australia, Fiji, British Guiana, Mauritius and Kenya have been facilitated by the pressure of the Assembly on the Government. From the imperial standpoint, the most significant event was the admission of India as an original member of the League of Nations with a right

to send representative delegations to its counsels and pay for its maintenance and up-keep. Not the least significant of the attempts at partaking in international movements is the increasing attention paid to the conditions of labour in factories and mines worked on the European model.

These events indicate but inadequately the flowing stream of intellectual and social sympathies between the guardians of public weal and their critics in the Assembly. The resolutions that have been moved in the legislatures and the private members' bills that have been though sparingly introduced, emphasise the growing appreciation of the difficulties based upon a living contact with the condition of the mass of the people; and the journal of the proceedings does not record a single instance in which, in the expressive language of Lord Morley, the representatives asked for the moon. The practicality of the proposals and criticisms has been the distinctive feature of the work hitherto turned out leaving the plea for idealism to the platform without. In the first session of the Assembly the leader of the House stated that he was opposed to the reforms at the commencement but as they had matured he was prepared to work them with good-will. That was exactly the spirit in which through varying

counsels the members as a body, apart from the individual parties, have laboured these years. That only on two occasions was the finance bill thrown out in spite of severe provocation is evidence of the realisation of the responsibility weighing upon them. The odds were tremendously against its being passed this year and yet the bill was carried by a majority of twenty. As evidence of the soundness of their criticism may be mentioned the handsome acknowledgement by Sir George Rainy, the Commerce Member, of the views of the Select Committee on the Steel Protection Bill which was passed in the form in which it emerged from it, despite his original opposition. One can easily multiply such instances as crop up every now and then during the course of protracted legislative sessions. Sir Basil Blackett was right in his claim that no deadlock had been reached so far and the constitution had not broken under the obstreperous tendencies of any body of men in or outside the legislature.

This is not to say that differences have not been disclosed of a vital character fundamentally affecting the common weal; and the supreme test is how far the weakening of parliamentary control will endanger interests whose safety it is the duty of Parliament to protect. Rather, what are those clashing interests between Great

Britain and India which the Parliament must safeguard for the former as against the latter? Let us keep away from the cant that the British domination of India continues for the altruistic purpose of preventing her peoples from cutting the throats of one another. We have outlived that fable. If some Power would give a more paying and valuable space on earth in exchange for a country where only famine and small-pox prevail, there is no earthly reason why a commercial nation should not take kindly to the transfer and close with the deal. Otherwise than as a commercial proposition India is of no concern to Britain. Her conduct proves it. Her statesmen do not conceal it. It may be that the union has turned out to be for the mutual advantage of both. Englishmen are fond of painting in lurid colours the consequences of the withdrawal of British arms from India and fancy the receipt of a wireless at Suez announcing their recall. But where would England be without India? She is somebody with her and will be nobody without her. That is a fact which is sedulously ignored. The commercial value of her connection is worth at least two hundred millions to her per annum; but then there is the safety of her possessions in the East. Australia will fly away the moment India is forgotten. She will have to keep in the eastern

waters treble her naval strength to protect the sea routes for her merchant-ships. As for the army, nobody is going to do her the philanthropic service of garrisoning a force of sixty to seventy thousand men gratuitously. These facts will have to be admitted in striking a balance of advantages by a people peculiarly susceptible to correct entries in book-keeping.

The ground being thus cleared let us weigh the extent of parliamentary control that may be relaxed in favour of a responsible legislature. First and foremost according to constitutional practice and the example of the Colonies is the relation with foreign Powers and the treaty rights with Native States. Although proposals are now and then put forward for a Cabinet of the Empire, in which the representation of all the various members may find a hearing before final decisions are taken on questions of war and peace, they have not yet matured into an accomplished machinery and failure in that respect has led the Colonies to declare that they are to be the sole judges of the extent to which cooperation may be extended to the mother country. A legal obligation of the Colonies to stand by the mother country cannot be imposed till their right to shape the foreign policy is recognised. The position of dependencies cannot be better. The Viceroy is in charge of

the portfolio and as representative of the King Emperor, his counsel, which for the time-being is the counsel of the party in power, is bound to prevail. The Native States want to correspond direct with the Secretary of State for India ignoring the Viceroy whose position as head of a responsible government they hold to be inconsistent with that detached independence which he has assumed till now. This claim is to say the least preposterous. That treaties can be entered into and preserved only so long as the internal political system between the contracting parties continues to be the same and must be modified or revoked if it should change, finds support in no principle of international jurisprudence. When the East India Company entered into these treaties they did so not on behalf of the Crown but of the government of the day. The treaties were not negotiated and signed as between sovereign states representing England on the one side and the States on the other, in which case they would be under the control of the Foreign Office. The Native States cannot murmur if the Viceroy deals with them as head of a responsible government instead of an irresponsible bureaucracy and must resign to that position with grace, if they cannot approve it with imaginative foresight. As the Viceroy will continue to be in charge of

the portfolio for sometime and not a minister responsible to the legislature, they need not worry themselves till it is time to do so.

Barring this exception there is no subject which can offer a serious impediment to the transfer of its administration by ministers responsible to the legislature. The problem of external defence has given some trouble to those who have hitherto taken a pro-imperial view of Indian questions; but the considerations set out in an earlier chapter emphasise the paramount importance of removing once and for ever and that at an early date, the cramping, depressed and extremely selfish control of the War Office over the military requirements of the country. The last act of disservice was done by it while turning down the report of the Skeen Committee which unanimously recommended the gradual Indianisation of the Army Command, and the opening of an Indian Sandhurst. The Government of India Act vests the control of the Indian army on the Governor General in Council, but the War Office has somehow managed to usurp a function which is certainly beyond the statute. The army policy, its organisation, superintendence and control are now in its hands, and the combined attack of the Government of India and the Secretary of State has failed to dethrone the usurper. The

concentrated fire of a popular administration alone can restore the normal state of things. The government of Great Britain may have a prescriptive claim to see that the army does not fall below a requisite standard of efficiency and in its equipments. No such claim is put forward or exercised over the Colonies because they have no armies of their own. Under present conditions no objection will, however, be taken to Parliament retaining powers of interference when the standard shows a tendency to depart from the original. As a supreme legislative body it can pass laws for its proper upkeep and vest with the Secretary of State for India the appointment of the principal officers in the higher command. But apart from this reservation, the legislature must be the sole custodian of the powers and rights of administrative and financial control. It can never be the policy of a responsible government to weaken the defensive strength of the country ; but economy may be possible and a more efficient force put on the battle-field at less cost if an Indian minister answerable to the legislature gave directions to the aims of military policy.

On the subject of finance it can never be pretended that parliament can take a keener or more appreciative interest than the representatives of the tax-payers. The control of taxation

and expenditure can never be a matter appropriate to the critical examination of those whom the shoe does not pinch. It will not be contended that there is not enough capacity to run the finances of the country when the Government of India have repeatedly invoked the assistance of Indian talent to the solution of financial problems. Indians have sat on financial Commissions and tendered valuable evidence before them. Sir D. E. Wacha, G. K. Gokale, Sir Surendranath Banerjea and that distinguished patriot and father of South Indian Journalism, the late G. Subramania Iyer, gave evidence before the Welby Commission, of which Dadabhoi Naoroji was one of the members. Before the Herschell Committee, the Fowler Committee and the Chamberlain Commission a number of Indians tendered oral evidence. Mr. D. M. Dalal was invited to serve on the Babyngton-Smith Committee and the present writer was one of the three Indian witnesses invited to give evidence before it. The Currency Commission presided over by Sir Hilton Young had three Indians on the board and a number of men gave valuable evidence before it or submitted written memoranda. These authoritative invitations to serve on Commissions and give evidence before them are an official recognition of the competency of men

to deal with the intricacies of pure finance. A conflict has, however, for some years past arisen out of the subordination of Indian interests to those of Thregmorton street which has been receiving accommodation from Indian moneys invested in the Gold Standard Reserve or withdrawn from the cash balances. Ever since the closing of the mints for the private coinage of silver and the constitution of a reserve to stabilise exchange out of the profits of rupee coinage, the Secretary of State for India has been using the Paper Currency Reserve, the Gold Standard Reserve and the cash balances with him to accommodate British trade; and the Chamberlain Commission was specially appointed to consider the question. It is a decade and a half since it reported; but the solution is not in sight. The report of the Hilton Young Commission and the financial bondage that it sought to impose have happily been put off by the withdrawal of the Reserve Bank Bill on grounds which are absolutely irrelevant to the main question at issue. As the old adage has it, all is well that ends well. But the regulation of Indian monetary policy to suit the requirements of either the London money market or the Indian external trade cannot be a valid, though a painfully selfish, reason for denying the legislature the right to control the purse. It

is rather a supreme ground for such surrender if only to vindicate the claim for altruism which the spokesmen of British prestige so confidently assert.

There is one matter in respect of which it may be admitted there is more than a vague apprehension on the part of British investors. No fear can be entertained about the liquidation of East India Loans raised by various Acts of Parliament. They are not going to be disowned and Parliament as the supreme law-making power is bound to ensure their repayment. The British mercantile community have likewise sunk a large amount of private capital in numerous undertakings and they seem to apprehend safety to their investments. The genesis of such an apprehension is not clear, nor is the manner in which injury can be made apparent. No differential rates of taxation can be imposed on European concerns and they cannot be penalised as such. Surely a responsible government is not going to levy a poll tax on British commercialists. The European Association, we are told, has resolved to press their claims before the Statutory Commission through an expert counsel. Among the vague and wild fears it may wish to guard against, it is to be hoped the fanciful attack on capital investments is not one.

There is nothing in the commercial morality of the people to warrant the fear that they would permit such a sacrilege as the laying of violent hands on the skill and enterprise of foreigners peacefully employed in the useful pursuit of creating wealth. It may be a comfortable bogey to scare away the frightful creatures that may have a soft corner for political reform; but as a legitimate grievance it can have no foundation in human character. With Parliament vigilantly guarding the trade which rightly follows the flag, British investors can safely overcome the terrors of a responsible government failing to guarantee adequate help to those engaged in the peaceful occupation of commercial exploitation. Any legislation repugnant to the understanding, implied or express, on which foreign trade has been stimulated or internal commerce fostered and developed by the free and unfettered motion of capital and labour, may be specially reserved for the concurrent jurisdiction of Parliament. The prospect of a parliamentary veto will have a wholesome effect on Indian legislation objectionable to the highest standard of human conduct and international morality and that must allay the unfounded apprehensions of legitimate commerce.

A third group of subjects, as to which it may be claimed with pardonable pride that they

are already guided by responsible opinion, relates to those in charge of the Commerce Department. The Joint Committee of Parliament on the Government of India Bill had recommended that fiscal legislation must have regard to what the Indian tax-payers consider to be in their interests and where the legislature and the Government of India are agreed, parliamentary control must suffer relaxation. The Tariff Board has been investigating the question of protection as each subject is referred to it and its recommendations are the basis for governmental action. In respect of some matters differences of opinion have been found between the Board and the Commerce Department. But the principle of consultation and taking action thereon marks a distinct feature of fiscal policy. The Railway Advisory Committee is perhaps less sustained and more sporadic in its activities. But the association of members of the Legislative Assembly with the various departments has been specially designed to secure a working knowledge of the administrative system as much as to influence the policy governing it. An inside knowledge of the sanctum sanctorum of circumlocutory offices has been thrown open to the earnest seeker after truth and such contact as has been established through them between the members of the Assembly and the depart-

mental heads cannot but have a bracing effect on either. The keen competition among the party men for seats in these committees and the marked ability and insight with which they master the intricacies, must have rounded off the knowledge public men are expected invariably to possess on these questions. It can no more be said that they talk but arid generalities out of touch with the realities of actual problems.

It is impossible therefore to define the subject that has any particular claim for reservation from administration by ministers responsible to the legislature. A survey of the problems dealt with by the Government of India emphasises the importance of a safe and urgent passage from the hands of irremovable officers appointed for a term to those of ministers answerable to the Assembly and removable by its vote. In no matter is the true interest of the British voter diametrically opposed to that of his compatriots on this side of Aden. Analysed a bit closely it would be found that such conflict as may exist is only confined to classes or sections which must peremptorily give way to the larger interest of communities. That men like Sir Mahomed Habibullah, Sir B. N. Mithra, and the late Mr. S. R. Das, the permanent incumbents of office in

the Viceroy's Council, would set the Ganges on fire if they happened to be elected spokesmen of the Assembly, whereas they are now only the nominees of His Majesty, argues a state of mind not ordinarily met with outside Bedlam. It is only fair for them to state that they are now as conscientious and god-fearing as they would be if summoned for office by a Prime Minister leading the Assembly. The phenomenon of rabid socialists tempered into all-wise and ultra-conservatives is not an uncommon experience even in contemporary history. The metamorphosis of men like Ramsay MacDonald, Philip Snowden and Clynes shows the impressive virtues of office developing diplomacy and moderation in West End pattern. Why Motilal Nehru as Home Member, Jinnah as Army Member, Sir Purushothamdas Thakurdas as Finance Member and even Jamnadas Mehta as Commerce Member, should not reveal the burning rays of the concealed gem of statesmanship, western psychology fails to explain. The fire-brands of British socialism have been tamed into trustworthy and good-behaving Ministers of State and apologists of Indian bureaucracy. The polished manners of the East and the native politeness of the Indian must make him even more an easy tool to carry the glittering prizes of office. A government of

India run by a Prime Minister chosen by the Viceroy and holding office so long as he holds the confidence of the Assembly is a necessary evolution of the present constitution and those who oppose it only vote themselves the enemies of orderly reform.

CHAPTER XIV

INDIA IN ENGLAND

WITHIN the living memory of man the theory of parliamentary supremacy was never so severely overworked as now. It is seventy years since the Crown and the Parliament assumed direct control of Indian affairs from the hands of the East India Company and, as the early Indian publicists used to protest, as if by providential interposition. For providence in their opinion can do no wrong. But Parliament would seem to have flung back the trust upon the very providence itself that created the trust. There have been very few occasions when Parliament interested itself upon Indian affairs, even as a pawn in the chess-board of party warfare. Nearly a hundred years ago Lord Macaulay said that a broken head in Coldbath Fields produced a greater sensation amongst Englishmen than three pitched battles in India; and twenty years later Lord Dalhousie wrote that nothing short of a great victory or a great defeat in India created in English society the faintest interest in Indian affairs. Twenty-five years ago Lord Curzon deplored that the average Englishman was

much more interested in the latest football or cricket match, in a motor trial or in a wrestling encounter—he might have added a society divorce case—than in the great problems of India; and the indictment is true of Parliament in particular. Since then the situation has not improved for the better. The men who interest themselves are confined to a narrow circle who aspire to be parliamentary under secretaries or provincial pro-consuls; and equip themselves for it from the scrappy, prejudiced and ill-informed wisdom of the daily press. Even the latest Government of India Act, over which there was such a furore on this side of the waters, excited little interest in Parliament, passed as it was by a coalition government. But coalition or no coalition, there is such a devout spirit of amity and concord among the diverse parliamentary groups that no question of principle is permitted to divide opinion. An unconscionable unanimity is the sincerest tribute that is paid to undisguised ignorance of a far-away land and its problems.

No one in India has viewed with other than dismay this cruel neglect of Parliament to its fundamental trust, and when Lord Birkenhead lectures on its supreme power and authority, he is not preaching a new gospel or enunciating a new proposition of law. How we

have been wishing that it had all these years applied the same test of party discipline and vote, as it invokes to its own domestic problems ! The pioneers of the Congress pleaded in season and out of season for Indian questions being brought into the arena of party politics. When Lal Mohun Ghose and later on Dadabhai Naoroji were adopted as parliamentary candidates in the Liberal interest, the Conservatives flattered themselves by adopting Sir M.M. Bhowmaggree as a candidate in their turn. In the unregenerate days of Gladstone and Salisbury it looked for a while as though that Parliament would commit the folly of dividing on India on party lines. But that was not to be. The black man had no permanent place in the affections of the British voter even as his country had none in the business of his Parliament. Lord Birkenhead is nothing if not a constitutional lawyer and while pouring over old statutes he discovered a legal status, did his lordship forget the doctrine of abandonment by disuse ? In the days of the East India Company there was at least the formality of a periodical inquest at the time of the renewal of the charter ; and select committees reported once in twenty years the progress of a trading and commercial corporation into an empire-building machine. But the incoming of the Crown effectively

dissipated the danger. A solitary autocrat was set up, surrounded by a body of antediluvian experts in statecraft, to keep the conscience of parliament. Of the twenty-three Secretaries, how many proved themselves the constitutional Ministers of State? The views and policies of how many were canvassed on the floor of the House of Commons and became the subject of its vote? Or again how many who did this country the honor of drawing their salaries from its revenues fought for its true interests as against those of the dominant partner?

It would be highly inconvenient for Lord Birkenhead to answer these questions in terms flattering to the theory of parliamentary supremacy which he has recently discovered in an unrepealed statute. May the question be put to him in all humility, on how many occasions even during his own regime did the Parliament intervene evidencing interest on Indian problems? Did it not give his lordship a complete carte blanche and surrender its right to his unfettered discretion and exclusive judgment? Even on the few occasions when he had composed orations for delivery, were not the opportunities provided by a friendly hint to the Opposition to raise the point in order that Reuter and the empire may be set agog? There are well understood methods by which the world is apprised

of the existence of a department and ministers are rescued from vocal and intellectual atrophy. The working of autonomous institutions on party lines in the Colonies may be a good reason for the Secretary to the Colonies enjoying a well-merited repose except when periodical conferences are got up for a mixture of business and pleasure; but what is there in the problems of this country or its constitutional outlook that Parliament should assume such ominous silence? If parties are divided in England over principles and not personalities, why is India forgotten or ignored in the tumult of petty warfare? The problems that vex the Indian administration are only a replica of those that divide the leaders of political thought in England and are capable of being viewed from stand-points as much opposed to each other. A race of supermen may enunciate policies and endorse actions which might not be exposed to criticism by lesser mortals; but they are not particularly shipped to the East. They might as well have been retained in Great Britain to solve her domestic problems in place of the parliamentary zoo at Westminster. Even after their return, ripe with experience and conceit, they might have been drafted to the administration to avoid the risks and excitements of party conflicts. But the sun-clad supermen returning from their

eastern sojourn, sink into insignificance in the chilling atmosphere of political controversies. Their passports bear no visa for travel in the high seas of British political life. They strand themselves in occasional correspondence to an embittered press.

Either parliamentary control must be real or unreal. There is no half-way house between the two. A system which sets up a tyranny in the name of democracy is not the fulfilment of a political destiny nor the realisation of a promised hope. It is cheating by false representation. The Secretary of State for India may be the lineal successor of the President of the Board of Control ; but as a constitutional adviser of the Crown responsible to the parliament his descent to an uncontrolled autocrat is an unexampled degradation of the instrument of government. Parliament ought not to be privy for such a transformation. It cannot rest content with the hearsay evidence of a periodical commission by which it pretends to inform itself. It must establish a living and faithful contact with the realities of life and keep the Minister in perpetual fear of its watchfulness. It cannot be too zealous, broad-minded and wakeful of even the details of the daily task. The difficulties in its way may be great, but they are not insuperable. It

is not that there is a touching faith in the unerring judgment of the Minister, some of them not even men of outstanding abilities, but that Parliament hardly finds time amidst its own pre-occupations for the discussion of overseas problems. The importance of its own domestic concerns has transcended all expectations and is engrossing all its time. That is a fact from which an honourable way of escape must be found. Parliament cannot assume one role and play a different part. It is an act of constitutional impropriety to have usurped a function which cannot be discharged and then turn round and say that it merits no censure. If the weary Titan writhes under the too heavy weight of the atlas, surely the burden should be shifted on to the shoulders of those who can bear it. The Secretary of State is a mere creature of Parliament and the transfer of its responsibilities into his hands is not to play the game of democracy with faithfulness and trust. It is only setting up an irresponsible autocracy under the cloak of constitutional government. Either it must shoulder the burden itself or create an imperium in imperio, a subordinate government with powers similar to what it has clothed itself with. That is the only solution found to succeed in the case of dominions overseas and

there is no reason why it should be otherwise in the case of this dependency.

The rigours of the Secretary of State's autocracy have been sought to be minimised by the appointment of a select committee of both Houses of Parliament at the commencement of each session ; but it has served no useful purpose. It is not even a consultative body ; it can only call for information such as it may choose and it is not open to it to influence the Secretary of State's policy to any desirable extent. The attempt must be made to restore the authority of Parliament now lost by continued disuse not by such grudging endeavours, but by an act of bold statesmanship. The curtailment of the Secretary of State's powers is possible by one of two ways, either by limiting his intervention only to those exceptional cases when the Viceroy thinks it necessary to do so in the interests of good government or by invoking the Parliament's concurrent power of jurisdiction if any piece of Indian legislation should prove particularly obnoxious to it. His exercise of the right of previous sanction and subsequent veto in all matters, administrative, executive and legislative, affecting the interest of this country, is a negation of responsibility not only to the Indian legislature but to the British parliament as well. He has proved the one asphyxiat-

ing medium between the two great democracies of the east and the west. If he happened to be a true and faithful watch-dog of the interests of the country of which he is the official head and spokesman, the evils of the system would have been confined only to what may be appurtenant to one man rule. But as Professor Webster, who recently visited this country, has pointed out, British interests still count too much in decisions about India ; and it is taken by one who has concentrated into his hands all the power that he could over her. Such an abnormal state of things ought to end. As a decision taken by him approaches finality in spite of the revisional powers of the Parliament, seldom successfully invoked, it behoves the Parliament to see that the power of taking action behind its back so as to commit it to his policy is finally taken away from him. To the extent that responsibility is given to the Central Indian Legislature it is only proper that his powers of intervention should be restricted. In which case he would be the exponent and interpreter to the British Parliament rather than the shaper of Indian policies, which is his logical mission.

Emphasis is lent to the need for defining the functions of the Secretary of State in relation to the British and Indian Parliaments, when his dual character as a member of the British

Cabinet and the Minister for India is considered. Such a dual character ought to be sufficiently perplexing to any one who is not particularly answerable for his acts to any body of critical enquirers. As a member of the British Cabinet he has to take action and decide on policies which may be opposed to those of the country whose interests he is supposed to safeguard and protect by virtue of his office as minister and its accredited spokesman. He is pulled hither and thither by ever so many interests from various and contrary directions. Is there a slump in the iron trade in England? Then a vigorous policy of railway construction must be inaugurated. Is the money market a little easy and unemployment on the increase? Then a constructive programme with a heavy borrowed capital must be vigorously pushed forward. Is Lancashire doing ill? Bombay must come to its rescue. Is Dundee suffering from depression? Then jute must be exported duty free. Is the Bideshi cigarette in danger of being replaced by indigenous stuff? The import duty must be reduced. Is the Indian treasury over-stocked with balances? Then Thregmorton street must be accommodated. Are the reserves congested with idle stores of precious metals? They must be transferred to London for safe investment in Treasury Bills. Will a gold currency deplete

England of its sparse gold? Then printed parchments must be pressed into service. So is decision taken in Whitehall on every question of moment and the conflict of interests has been smoothed by the circumstance that the only persons to pull him up have not been adversely affected. In fact he is playing his cards all along for them. British interests are being protected in a manner that they can hardly lodge a valid complaint. So long as he is only a technical servant of the British Parliament it cannot be otherwise. But the moment it transfers its power to the Indian legislature he will be bound to play a different role, which is that of constitutional custodian of Indian as opposed to British interests.

If for no other reason, at least for the physical impossibility of either House of Parliament finding time to engage itself on even the vital policies of Anglo-Indian administration and the grave impropriety of delegating its arduous functions to a modern tyrannus, it is incumbent upon it to invite the great democracy of India to share with it on co-equal terms the heavy and onerous trust. The cruel irony of an irresponsible autocracy however eminent and popular—perhaps because of its eminence and popularity—has over-reached itself and it is high time that the central Indian legislature

is invested with the statutory duty now devolving upon the British parliament of reviewing through its Secretary its national policies. The devolution of responsibility to Indian ministers must be accompanied by the withdrawal of all the powers the Secretary of State at present exercises over legislation and in matters touching administrative and executive policies. The purely domestic concerns that affect the governance of India might safely be entrusted to the Indian legislature subject to the supervising power of the Parliament, which would be called upon to interfere only when both the Governor General and the Secretary of State for India are agreed in a particular matter. When the Governor General agrees with his ministers responsible to the legislature, the veto of the Secretary of State would be irregular, improper and unwarranted. When he does not, the matter may be referred to the Secretary of State and if he agrees with the ministers even then Parliament would not be called upon to interfere. But where these two are in agreement in their opposition to ministers, it will be open to the Parliament to interpose its veto by means of its concurrent power of legislation. It may not be frequently that Parliament will be called upon to exercise concurrent jurisdiction. Nor are ministers and the legislature to which

they may be responsible, likely to pursue a policy or adopt a course of action which might provoke the veto of Parliament. It is only reasonable to presume that the line of least resistance will be adopted by both the ministers and the parliament taking action on the conjoint advice of a Viceroy and a Secretary of State.

The definition of the Secretary of State's function, therefore, limited to invoking the normative and concurrent jurisdiction of British parliament when he is in agreement with the Governor General is replete with practical advantages. It will put the parliament in realisation of the duty it owes to the neglected peoples of India to weigh with judicial balance the points of difference between its agents and the representatives of Indian democracy. Its interest will be kindled by party differences in India itself. One or other of the parties in Opposition will identify itself with the party in power here and Indian problems will be agitated on party lines, and voted upon according to the party mandate. While the British parliament will have had the satisfaction of doing its duty by the people of India, these will derive equal satisfaction from the fact that even an adverse decision is not the handiwork of a solitary autocrat sitting in secret conclave, but of the majority vote of an enlightened legislature.

Not the least important is the flow of mutual respect, sympathy and trust between the democratic institutions of both countries. The east and the west will meet on this common platform of considered action and debated decision. In itself it would be a gain of no small value. But the moral effect of the quickening perception of imperial obligations on the part of the parliament will be superb. Parliament will no more be a miasma of ill-informed and anti-Indian criticism, but a body whose intelligent exposition is deserving of respectful support. There can be no more effective reply to those who think that Indian nationalism is out to cut asunder the parliamentary tie weakened all along by its own neglect.

This is in accordance with the general trend of the recommendations made by the Montford report even ten years ago. Not only in those matters which were to be transferred to the control of popular legislatures, but even in respect of those reserved to the bureaucratic half of the government, the report suggested discretionary delegation of the Secretary of State's control to the Indian Government. It urged that the divesting of the powers should not be left to the idiosyncrasies of Secretaries of State or to the disposition of party forces in Parliament, but that it should be regulated by

rules laid before Parliament. The Government of India were also to do likewise in respect of matters which are purely of provincial concern. The rules could at best be only tentative. They were to endure only so long as the Secretary of State for India was exercising the powers vested in Parliament and in its name. In respect of matters delegated to representative bodies in India, the report points out, that it would be impossible for Parliament to retain control save what is required to furnish it with any information that it may desire. The argument applies as vividly to every subject so transferred. If the Parliament should desire to transfer the matters now under the control of the Government of India and such of them as are yet under the control of provincial governments to responsible bodies, it would follow that there should be a corresponding withdrawal of its own control and *a fortiori* the delegated control of the Secretary of State. If it is noted that no proposal is made for Parliament exercising concurrent powers of legislation in respect of transferred subjects in the Montford report, the reservation made above for such powers must be taken as a conscious tribute we are paying to the sagacity and fair-mindedness of the legislative proclivities of the British parliament. Not that it should remain a dead letter because Parliament will

seldom care to break faith once it has made the transfer. It has not meddled with Ireland as Mr. Tim Healy has certified ; and it may not meddle with India unless it were absolutely necessary. But our grievance is not that it does, but that it does not, it is immaterial with or without intelligence.

The definition of the Secretary of State's function in the manner set out above necessarily raises the question of the place of the India Council in the future government of India. As it is, its position is in a nebulous condition. The ten gentlemen who constitute the statutory body of expert advisers to the Secretary of State have lent their names to an office whose function is as undefined as that of any corporation can be. Their legal powers seem to be co-equal with that of the Secretary of State. In financial matters their decision is final. Without the concurrence of the majority no grant or appropriation of any part of the revenues or of any property coming into the possession of the Secretary of State can be made. Similarly the concurrence of a majority is necessary to sell, mortgage or buy property. But in actual practice their powers are extremely limited. They have degenerated into a mere advisory body whose consent where necessary is secured as a matter of course. It is more or less a

mechanical act that they perform. The Secretary of State may issue orders without consulting the Council in all urgent matters of a non-secret character and simply communicate his orders to them, but in secret matters he need not even go through that ritual. They exist on sufferance and because the statute provides for their existence. No liberal measures claim their parentage. They have proved the grave-yards of all our legitimate hopes and aspirations. Their obstruction has surprised even the Government of India sometimes and, as Sir Malcolm Seton points out, their interference even in matters of detail is masked by the uncertainty as to which body it really is that causes all the annoyance, obstruction and delay,—the Secretary of State, the India Council or the permanent officials. A great statesman, Lord Randolph Churchill, set himself to his task with the determination of manipulating the Council; but it very soon manipulated him and he left the office no wiser or better for his imperious will. It has thrown a damper upon enthusiastic ministers and provided a death-trap to ambitious hopefuls. The admixture of an Indian element, it was fondly hoped, would liberalise the body; but the atmosphere has been such as to choke them of their sympathies and even dry up the deep wells of their liberalism.

The abolition of an institution which is for evil alone good, was one of the foremost demands of Indian public men ever since the first session of the Congress met in Bombay in the Christmas of 1885 under the presidency of the late Woomish Chander Bonnerjea. When the Montagu-Chelmsford report was under discussion of the Imperial Government, a committee presided over by the Marquess of Crewe, an ex-Secretary of State for India, was considering the question of the reconstitution of the Council. The majority recommended its abolition. They considered that the transfer of the power from the Government to the representatives of the people must imply the withdrawal of official control from the Secretary of State's Council and its vesting in the Secretary of State who will have sole and undivided responsibility to the Parliament. In place of the India Council they urged the substitution of a merely advisory body. Sir James Brunyate, who was for sometime Financial Secretary to the Army and member of the Council, considered the proposal premature till at all events the Government of India changed its bureaucratic character. Professor Keith was opposed both to the continuance of the Council and the creation of a substitute. He rightly pointed out that it was not the duty of the Secretary of

State for India in Council to do once again the duty done by the permanent officials at Simla; and as for safeguarding Indian interests in financial matters, he thought that it should be laid upon the Government of India and the Legislative Assembly and not upon persons owing their appointments to the Secretary of State for India and deliberating in secret. The absence of a Council which for the very purpose of making its existence felt, interfered even in matters of detail through the Secretary of State, would free him for the bolder task of revising the larger policies of the Indian Government. The Joint Select Committee, however, voted for its continuance for sometime to come and the experience of another decade does not justify the wisdom of its choice. Whatever reforms may be effected, or withheld, the ending of the Secretary of State's Council is a necessary preliminary of all and there is no mending it. The existence of an institution of such pernicious antecedents is not in conformity with sound constitutional principles. As an advisory body it is superfluous. As a critical and controlling authority it has very little power. As an asylum for retired malcontents, there is no reason why it should receive statutory recognition.

The delimitation of the respective powers of the Secretary of State and the parliament and

the abolition of the India Council will be the prime functions of anyone who ventures on the next step of constitutional advance. Between the Secretary of State and the parliament there is no need for an organisation which has proved less of a help and more of a hindrance. Even a disinterested body of intelligent gentlemen can only prove a fifth wheel of the coach ; but a prejudiced coterie of ex-service men is a perpetual menace to the dispassionate consideration of well-worn problems. The Secretary of State would shelve the responsibility on its inconvenient shoulders when it pleases him to do so ; and the cloak has to be got off now that he is to be responsible to a parliament actively interesting itself in the destinies of its great dependency. The Secretary of State himself will have fewer calls on his time and energies when responsible government is introduced in the central legislature and he will prove a truly revising authority which is his statutory function. Should he care to advise himself, he has the experts serving in other departments whom he can freely consult. It is told of Lord Randolph Churchill that he used to take Mr. Arthur Balfour to the Council meetings when currency questions were discussed. Mr. Balfour is an expert on currency matters. Such free and informal consultations when occasion

required might give the Secretary of State all the expert advice he may need in those matters when the Ministers and the Viceroy do not agree and his arbitrament is sought for. The India Office has been a needless and offensive spoke in the wheel ; and it is necessary it should be pulled out if there is to be smooth running of the governmental machinery on the other side of the Suez. In the initial stages of full responsible government, the intervention of Parliament may be freely invoked and no one would grudge it or dub it officious. Between a Secretary of State feeling his lonely responsibility and a Parliament not overburdened with wisdom or information, a normal and untutored growth of responsible government ought to have a sound and prosperous voyage to the haven of a peaceful and contented people.

CHAPTER XV

THE FRANCHISE

IS democracy the high water mark of political wisdom, the final word in the science of politics? The man with a conviction, said John Stuart Mill in his essay on Liberty, is equal to ninety-nine without one. That was an instructive aphorism of the apostle of mid-Victorian radicalism. But to the Napoleon of the twentieth century, three million flappers are preferable to one Baldwin. A modern Prime Minister need not reflect the best intellect of the age and Mr. Baldwin is not typical of the conservative intellectual at his best. But should democracy revel in universal suffrage? Is every man or woman who has entered into the world not by reason of his or her volition, but because of somebody's folly, fit to exercise the vote and understand its implications? So far as England is concerned she has resolved henceforth to be ruled by woman and imbeciles—some statesmen are no better—and are we to follow in her wake and let our women embroil in the political controversies of the hour? Is any qualification or condition to be imposed, whether of wealth or of education, before one begins to think of

the petty possibilities of the vote or the mighty turmoils it might herald? Is the individual male or female an entity by himself or part of a group of men and women to whom he or she owes allegiance before the commonwealth? Can the commonwealth survive divided allegiance from its members, first as part of a class or a community and then only as a limb of the body politic? These are some of the questions which have troubled the acute intelligences of the country, and perhaps on their proper solution will depend in a large measure the permanent well-being of the State and of responsible government as its embodiment.

The enfranchisement of woman never assumed the proportions in the east which it has done in the west. And yet with that peculiar gallantry to which the eastern mind is so susceptible in six of the provinces she has thrust on her the vote. Except among the stray group who have received the benefits of western education, the longing for it has not been keen. In Bombay and in Madras representations to that end were made before the Southborough Committee; but there the standard of education is higher than elsewhere and women have taken kindly even to university education in all its branches. The practice of medicine to which they are particularly attached

has also drawn a good number of active and intelligent girls to the noble art of healing. They have been appointed to local bodies and connected with organisations devoted to social service and they have discharged their duties with marvellous devotion and alacrity. But these are limited to a handful of enterprising youth to whom the bounds of the house have not been sufficiently expansive for beneficent labours. The large body of women have no particular liking for politics or the tumult of life beyond their familiar surroundings. Even men as a rule are not politically-minded ; much less women. Their attention is riveted to the problems of the hearth and the home, the children they rear and the husband they adore. Plain in their thoughts and simple in their living, they are concerned more with handing down from generation to generation the splendid heritages of the past, the spiritual gifts of the Rishis. They are the votaries and preservers of the venerable traditions of domestic peacefulness and repose and they surround life with a halo of sanctity unconceived by those to whom it is only of the earth earthy. They realise the sacred mission of the sex and render humanity a service of which it is becoming the fashion to be ashamed in the west. In return they receive from the more powerful male the homage of their

up-keep, the driving of the cares of livelihood and sustenance. They are the presiding and all-powerful deities of the house, beyond whose horizon they know or care to know nought of the world or its charms. At their shrine men burn incense for their loyal devotion, splendid sacrifice, heroic endeavours, their unsurpassed labour and love.

Few who have not acquired an insight into the working of the Indian household and the firm yet sympathetic sway the womanfolk exercise therein, can realise what all they stand for to the man and the people of which he is a part. By them they are easily misunderstood. They have at least been reviled by one whose love for them has clothed itself in the foulest of literary garbs. It is stated in a scripture held sacred by its readers that God created man out of his own image. But who created Miss Mayo and in whose image? It took all the arts of Satan to corrupt the faith of Eve. But filth comes to this Yankee maid as if to the manner born. Remorseless and vindictive, this feminine Cain has killed the noblest traits of womanhood, the tenderest roots of maidenhood, in ponderous print, and has rendered the critical claim of the sex wholly infamous. Some hard things have been spoken in protest of her slanders and vilifications. But the

psychology of *Mother India* it is not difficult to understand. If Miss Mayo had only been properly husbanded, and blessed to partake of the sweets of matronhood, her Indian sisters had escaped her envious wrath. Nothing so unsexes woman as envy. Condemned to the life of a nun or a governess, baulked of the god-given mission of maternity, perhaps burning with unrequited love, or incapable of securing a mate even among the fast multiplying brood of American bachelors, this imaginative creature must have been stung to the quick at the happy, contented lot of untutored girls in their teens, the solace, comfort and joy of gifted youth. And such she is not fated to be. In the forlorn condition of condemned celibacy at the ripest period of her life, when youth is verging on old age and rendered for man's love increasingly unfit, she has no higher conception of sex than an object of animal craving; and unsatisfied desires have let her imagination boundless and free. In every man and woman she must perforce find nothing but the personification of riotous indulgence, alas! so cruelly denied her. But who would wed a woman so foul in her tongue, so perverse in her thoughts, so uncharitable in her deeds, a raving monomaniac in the full blossom of her malady? Even Job could not stand her curtain lectures if *Mother India* is

a sample of her literary taste. And well we might leave this unhappy woman in the pleasures of her unmated, unwedded and disappointed revilings.

That is by the way. The point to note, however, is that the ideals differ fundamentally between the east and the west pressed no doubt by acute differences in economic outlook. The woman's place in the west is not cabined to the narrow confines of the house and she is taking her part in the wider spheres of the world. It is an arithmetical impossibility for every woman to find the solace of a husband's home and it is an economic necessity that she should work for her own bread. In this she has had her revenge ; and in many walks of life has elbowed out the mere man. The flapper's vote is a necessary corollary of the new ordering of things. But except in very rare cases, the Indian woman has no separate existence ; she does not eke her livelihood by the sweat of her brow. And where she does, she is a recognised unit of the family, and not a separate entity living and working by herself. Such a conception precludes the possibility of conscious individuality ; there is a definite merger of interests in those of the family of which she may be the head and the mistress. One does not and need not decry this neo-conception of life which is

invading some parts of the country, certainly by no means to the detriment of the sex. The State is bound to provide opportunities for everyone, male or female, to expand to the fullest limit of his or her powers. And when the individual has outgrown the limit of the family and carves out for herself a centre of social and intellectual sympathies, there the problem of the franchise is easily solved. By her education, culture and social service, she has fitted herself for the exercise of a right inherent in every subject. Otherwise, it is greatly to be doubted if it is a live problem. The difficulties in establishing direct contact between the voter and the candidate owing to the social exclusion of women and their conservative habits are not merely sentimental; and the possibilities of false personation at elections are genuine and widespread. It is needless however to confer a power which is not solicited, and superfluous when it is sought not in the interests of the individual enfranchised but of the family of which she is but a unit. Frankly, politics is a game for the bread-winner to play and where the individual female has qualified herself for it, she has set up a claim to take a hand in it. To give the vote to the woman merely because she has a certain property qualification, is not an idiot or a convict, is to unsex her. And if

woman should be unsexed let it be by her choice ; let her not be forced into it by the State. That she is not enthusiastic over the gift is clear from the returns of the last elections. Out of five provinces for which returns are available, it is found that only twenty per cent polled in Bombay and eighteen and a half in Madras. In the United Provinces less than seven per cent went to the polls and less than ten per cent in the Panjab and Burma. That points a moral and adorns a tale.

A more immediate concern is the suffrage of the adult male. The war-cry is copied from the west where every workman is a party man by birth. That is the *dharma* of his caste. Not a labourer or a workman however humble his station in life who is not attached to one party or other. He discusses with you freely and intelligently the latest parliamentary skirmish and the merits of the newest controversy. To him politics is the breath of his nostrils. He is a member of a union or a worker's league and subscribes for its maintenance a part of his earnings. For his political education party organisations spend enormous sums, issue tracts and organise meetings. He is deeply and inevitably concerned in every decision that parliament might take and knows that he stands to gain or suffer by every dispensation of his vote.

If every Indian workman can say as much, he would have given proof of his title for the job. That however is hardly the case. Labour has of late been quickened to a new perception of its rights though not of its obligations, and has expressed itself in strikes both of an organised and unorganised kind. That it has its grievances, legitimate and valid, past attempts at arbitration decidedly show ; and they are likely to multiply even more frequently in the never ending clash with capital. Happily the greatest capitalist is the State and its nomination of a member to safeguard its interests in the Assembly is by no means a fair or final solution of the difficulty. Labour might demand direct representation in the legislature either through its recognised organisations or by the conferment of manhood suffrage. At present the agitation is confined only to the urban part of it and many years may have to pass before his rural brothers show such solidarity. It is mocking at democracy if every pauper is given the vote to tamper with laws which would not affect him in the least. Some qualification in respect of property is therefore to be insisted on in order that the voter may realise in his own person the cost of his eccentricities. And if the minimum qualification is too high to reach the urban labourer, the next best thing is to allow

for representation through the indirect method of recognised organisations. An analogy and justification is to be found in the representation given to Indian and European commerce, through their respective chambers and trades associations.

It may at once be admitted that indirect representation of any interest, whether vocal or vocational, is not in conformity with the strict principles of responsible government. Direct representation is the rule of democracy. But where conditions supervene which render it impossible or inconvenient, indirect method is the safest and the surest road to representation. To nominations by government it is infinitely preferable. The practice of nomination has resulted in a conflict between conscience and duty which ill-accords with the honest discharge of one's legislative functions. Should loyalty to the government take precedence over the dictates of conscience? The dictum of Mr. Moir may have no sense behind it; but the scrupulous nominee is sometimes perturbed by it. To merge labour in general constituencies may in many cases deprive it of that representation which is intimately conscious of its troubles. Of course labour has no interest apart from the general public and it may not suffer even by the absence of any direct representation on its

behalf. But it has a notion that it is the rich man, the employer, that has the greatest chances of getting entry into the portals of the legislature ; and it is singularly true. Direct representation must lead to differential qualifications and a deliberate lowering of the franchise. It might no doubt be possible to create in each province a few labour constituencies ; but they have got to be disciplined and led by intelligent spokesmen if their cause is to command sympathetic response. It can be done only by bringing into existence powerful organisations representative of the varied group of workers. The formation of labour unions is a sine qua non of its successful operations ; and if a member is returned for every three thousand subscribers of each registered union, it might secure representation adequate to its influence and powerful to protect its interests. The enfranchisement of urban and industrial labour cannot be delayed and with a view to preserve a reasonable standard of qualifications in the voter, necessary and enforced in the case of the agricultural peasant, it is only desirable that representation should be made by the indirect method of elections by registered unions. It is open to the unions to send up the nominees either chosen by ballot by their subscribers or by their own councils or committees.

The same thing would apply to the large body of men who have for ages been suffering from the inferiority complex. Their numerical strength has been officially estimated at about twenty-seven millions; but they can secure no representation in the general constituencies unless universal suffrage is given. However low the qualification for franchise may be, it is certain that a reasonable number cannot be enfranchised till their standard of living is considerably enhanced. Their poverty is phenomenal; their holding of agricultural land is extremely limited; and their income as agricultural or industrial labourers is precarious and scanty. The organisation of village communities under British rule has deprived them of the amenities which they enjoyed before. Still they form a large part of the population and have been handy for the Government to set up a plea as to our unfitness for swaraj because of their low economic condition. Their social degradation may be attributed to the much maligned Brahmin and the high caste Non-Brahmin, who has perhaps been guilty of cruelty to a graver extent; but the bureaucracy has no right to charge others with their economic lot. Next to nothing has been done by it to lift them from the slough of despond; to remove the fetters of their serfdom. Since the Montford

reforms it has only been playing them as against caste Hindus. However that be, their own political uplift is not possible by the easy and comfortable system of nomination which has only enchain'd their bondage to the bureaucracy a little more tightly. Their representation can be secured best by the indirect method of nomination by their own organisations which must be brought into existence for stimulating and vindicating their corporate life. If they are not capable of such voluntary association, they convict themselves of their incapacity for organic growth or take a hand in the political life of the realm. The many Dravida Sabahs that are creeping up now and then must function as vital corporations continuously on duty and embrace within their fold an ever-growing number of intelligent workmen. If they but shoot out on occasions only on ceremonial and festive purposes bent, they deprive themselves of a privilege conferred on them as of grace.

It is implied from the above that the pecuniary qualifications for the franchise do not admit of any lowering. The vote is not a birthright which can be delivered for a mess of pottage. It is a thing of value because of its rarity. Thrust on all and sundry it degenerates into a nuisance. It may also become an object of barter if every adult male is given its free

use. It can only be conferred on those who have some sense of social responsibility, some tie by which they are attached to the State. Although the qualifications for the electors vary from province to province they are kept purposely low ; and yet the standard of life is such that they number only about eight million to the provincial legislatures and a million and a quarter to the Legislative Assembly. It is a matter for genuine satisfaction that an increasing percentage are realising the value of the vote than before and are led to the booths. To the elections for the Legislative Assembly about 48 per cent of the voters went to the polls in 1926 as against 41 in 1923. A similar tale is told also of the elections to the Provincial Councils. There the percentage has varied from 39.25 in Bengal to 61.9 in the Central Provinces and Berar. But it may safely be ventured that the vote represents not merely the will of the actual voter but of a large number of the village-folk who meet and discuss these things in their maidans. Still there is room for improvement and the betterment of the condition of the people must be primarily looked upon for increasing the number of electors more than the actual lowering of the franchise.

Vocational representation as part of the scheme of representation has given successful

results in the past and its execution the case in of labour and the depressed classes makes its discontinuance highly improbable and eminently undesirable. The universities, commerce and industry, zamindaries and larger landholding interests have been especially chosen for this privilege and there are valid reasons why they should continue. It is needful that the zamindars and the richer landholders should not be permitted to compete with the proletariats for general constituencies as the successful ousting of the latter in such unequal contests is as good as certain. These cannot compete on terms of equality with the rich to whom electoral expenses are of very little consequence. Separate electorates for them are calculated to purify the contests in the general constituencies. It is not so much because of the special interests that have got to be safeguarded, but as returning men typical of the varied interests and as exercising the franchise in a satisfactory and intelligent manner that the retention of vocational representation in certain respects will be justified. Viewed in that light, the representation of commerce and industries, where competent organisations exist, may be welcomed to supplement the return by the general electorates. Sufficient attention has, however, not been paid to the educational qualification and a seat for

the university in the provincial legislatures is too small a recompense for the part it has played in the political education of the country. Both the central and provincial legislatures stand to gain much by enfranchising the vast body of men who have qualified themselves for entrance into the university and who could certainly appreciate the value of the vote better than the rural peasant or the urban labourer. The conferring of the franchise on everyone who has passed the school final or the matriculation would liberate a very desirable number of men to the general constituencies, thereby infusing a lively and discriminative element in the inert electorates of the present. With under-graduates as Ministers and members of the Assembly, education as such has vindicated its claim for the exercise of the vote. They are the arteries through which the official, semi-official and commercial life of the country beats and pulsates. And their enfranchisement may be said to ensure if not universal, certainly practical household suffrage.

The preference that has been extended in favour of vocational representation must be strictly limited to the narrow groups mentioned above as it can in no way take the place of territorial representation. As has been stated above its place is to secure as broad, variegated

and intelligent body of men as possible under present conditions, and it is also based on the apprehension that such men as have identified themselves with these interests are not likely to secure a share in the seats allotted to general constituencies. It follows therefore that as affording a balance of representation, their numerical strength must be strictly limited. All these interests combined cannot account for more than twenty-five per cent of the seats allotted for territorial representation. The major portion must be returned by territorial units, by the general body of tax-payers grouped in one electoral roll. The right of election conceded to labour and the depressed classes through their organisations, must inevitably lead to the abolition of nomination which is retained chiefly in their interests and disproportionately to their importance. Their merger in the general constituencies is in their own hands, by their patient endeavours to improve their lot. Their numerical strength in such an event will secure them adequate representation through their own men or through men who have completely identified themselves with them. The merger of all separate electorates in one general whole was definitely contemplated by the Southborough Committee; and though the time for it is not yet, having regard to the low economic

condition of labour and the depressed classes, it is up to those who are the recipients of the favour to bestir themselves for that end. The wider interests of the community forbid the permanent organisation of electoral groups so as to retain for the privileged few primary allegiance to its own group and only secondary allegiance to the State.

And yet this has become an unfortunate development in the political fortunes of the country. The Montford report drew pointed attention to the possible charge that may be levelled against the British Government of being hypocritical or shortsighted in unnecessarily dividing men at a time when they were started on the road to responsible government. It recognised the validity of the contention that divisions by creeds and classes means the creation of political camps organised against each other teaching them to think as partisans and not as citizens; and observed that it was difficult to see how the change from this system to national representation was ever to occur. But the antecedent commitment left no other go. In the case of the Mahomedans there was the start given in 1909 and the compact between the political leaders of both the communities. Even at the risk of slower political progress communal representation was

to be persisted in the interests of harmony. One of the evils of the system is that it breeds communalism all round. And following the Mahomedan example, other communities began to press their claims for special treatment. The Europeans, Anglo-Indians, Native Christians and the Sikhs succeeded in the agitation ; and others with claims no less valid failed in their attempts. The worst of the spread of the communalist wave was the favoured treatment which even majority communities were able to secure. The Non-Brahmins in Madras, who outnumbered the Brahmins by eight times, had a number of seats reserved for them in the general constituencies. It was a case of who kicked the hardest. It was unfortunate that perceiving the dangers of communalism as clearly as he did, Mr. Montagu could not take a firmer and bolder stand and like Donna Julia, whispering he would never consent, should have consented. His apprehensions have come true. The minority communities have not only settled themselves to a feeling of satisfied security, but have if possible set up preposterous claims for stereotyping existing relations. They fancy themselves strongly entrenched upon the ground already won and imagine all resistance impossible. They have refrained from doing anything to develop the national

sentiment. They want to consolidate the blood and religious claim as against the claim of the State for undivided membership in a territorial unit. There is no desire on their part to exert themselves and the majority communities have no like desire to forbear. We have thus the blood and religious feud incensed and not allayed, a contingency clearly anticipated and fervently protested against in the Montford report.

It is amusing to be told of the various and perplexing grounds on which this preferential treatment is urged. The Europeans claim it as belonging to the ruling race and as emphasising their commercial and industrial importance; the Anglo-Indians as descendants of the early European settlers who had made this country their home. The Parsis have done so on even weightier grounds. The Mahomedans claim it as belonging to an ex-ruling race who form a sufficiently strong minority in all but two provinces and having a distinctly religious form of worship though their ethnic connection with the majority is the same. The depressed classes claim it for the very reverse of the grounds taken by Europeans and Anglo-Indians; because they are poor, uneducated and disorganised. The Indian Christians claim it because they are Christians first and Indians

afterwards. The Sikhs claim it because of the recruits they supply to the army and the Mahrattas as the last of the ruling races. The Non-Brahmins claim it because they are a majority and yet under the influence of a minority whom they could not efface from off the surface of the earth however much they would like to do so. There appears to be no unanimity as to the purpose of these conflicting claims. Is it some representation, or representation adequate and proportionate to their numerical strength or taxpaying capacity or excessive and special representation over and above what they would be entitled to by reason of their population or wealth ? If it is the first, equity might suggest that it would be unfair to adopt a system which would exclude any body of men from the legislatures altogether. If it is the second, there would yet be difficulties in devising a scheme which would give sufficient protection to communities without at the same time impeding the growth of a sense of national solidarity. If it is the last, and it is in some quarters hinted at with little or no ambiguity, the apparent injustice that is done to the major communities could not have escaped their acute intelligences. In fact it is a device to punish the majority as such. It is robbing them of a right which is as much theirs ; and mulcting

them with a punishment for which there is not even vicarious justification.

At the risk of being misunderstood, we must examine a little closely this plea for preferential treatment to the so-called minority communities. It is a novel claim which is not urged with reference to any other department of life or of its activities. There has been no communal preference in the choice of the voluntary services of men. We may leave out the involuntary cooperation with the public service drawn from all sources without distinction of caste or creed, though no allegation has so far been made of its being tainted with sectarian prejudice. The voluntary association has been of the happiest kind. Without any thought of these base and degrading ideas, men have sought the help of the best, the most trustworthy and the most agreeable in their business relations. The most bigoted Justicite has sought the advice of the most virulent Brahmin lawyer; the exclusive Mahomedan has trusted Hindu leaders in their business and trade relations; the Parsee, the Hindu and the Mahomedan have sat on the same committees or councils of public bodies and have trusted one another. In the field of trade, commerce, agriculture or industries, communion of men as masters, servants or dealers has been irrespec-

tive of sectional preferences or antipathies. In their corporate and individual life men have been impelled by mutuality of interest and not by commensality of food or community of worship. Why then should this happy feeling subsisting among the diverse communities in all their varied social activities be disturbed in the realm of politics? Why should it be thought that a Mahomedan doctor in whose hands a large number of Hindu patients trust their lives, will not be trusted with their votes? Why should a European barrister, who is entrusted with the fortunes of their families by their Hindu or Mahomedan clients, fail to secure such a paltry thing as their suffrage? Why this segregation in politics which is nowhere else? Why should the freedom of the electors' choice be restricted in this arbitrary and high-handed manner?

If one denies that there is a universal or even a general and widespread demand for special representation among the rank and file of the voters and suggests that it is all the work of a handful of busybodies who can only thrive on mischief, it cannot be stated he is deviating from the truth. If a referendum were taken, the vote for the merger in the general electorates would be overwhelming. The evidence for advancing such a proposition, which may cause a flutter in the dovecots of communal reactionaries,

ries, is to be found in the astoundingly peaceful nature of the relationship existing among the people in their daily concourse without in the slightest degree feeling the impediment of communal jealousies and rivalries. The very serious nature of the disturbances though sporadic, yet sufficiently gruesome, that have broken out now and then in some parts of the country, need not be discounted. Whether they are unpremeditated or engineered by short-sighted partisans, they have been stimulated by the possible belief in non-resistance. Nobody finds in them two armed camps pitched in battle array and waiting only for an excuse for the inevitable crash. A general feeling that aggression will be followed by reprisals will create mutuality of respect even among the rowdy elements in society ; and the disturbances are not the outcome of political convictions and differences, but of an idle crowd who always swarm cities and centres of industrial activities. The peaceful villager is a passive resister. The spread of education and of employment will settle down the Street Arab to the quiet of a civilised life. And even if there should be rumblings among the communities, they ought to be composed by the joint exercise of the franchise in a spirit of healthy give-and-take. The joint vote is the healer of differences, the

composer of jealousies, the restorer of peace and good-will. And till a case is made out by the parties aggrieved that they have no chance of exercising the rights of citizenship except by a communal system, the establishment of a common electoral roll is an act of necessary wisdom.

The evil of communal electorates is not merely confined to the emergence of distinct political groups, but to the spread of discord around and corrosion of life in all its branches. The seeds of disunion can have no better soil. A growing dependence upon communal leaders has led them to cast off fair play to the winds. Public life has never sunk so low as in those places where the communal rancour is the bitterest. It need not however be emphasised. The responsibility for it lies not in the body politic but in the handful of men who foment them for their selfish ends. It is inconceivable that men who identify themselves with the cause of the country according to their lights, will fail to secure the approbation of the electorate whatever their composition. It is easy to find out a Judas even in these days of sycophancy and courtiership. But if the country is divided on principles and not communities, on policies and not on the cut of their clothing, the food they take or the god they worship, would not the game be played on a higher plane of

morality? We wonder if a budding Hume, Wedderburn or Cotton should necessarily seek the suffrages of an European community. If he did, he would probably be beaten. Such men could defeat the most influential Hindu in a general constituency. Would Theodore Morrison have failed in a Moslem constituency? A. G. S. White need not seek the suffrages of an Anglo-Indian organisation. Should a Jinnah or a Dr. Ansari woo a Moslem constituency for their successful return? Their public record is of sufficient value to guarantee success in any electorate and whatever its complexion. It is prejudice of a most unintelligent kind that would keep such men to the narrow confines of exclusive organisations and not let them fight in the open on their political ticket. Nothing ought to be more hateful to an Indian than admission by the backdoor of a communal ticket.

British reactionaries, between whom and the Indian nationalist there is not much love lost, have been advising the scraping of dyarchy. The fate of dyarchy is nothing. No more sincere or whole-hearted advice can be given to the true reformer than to scrape communalism. It is the most virulent poison that is corroding the organism of State. It has set up class against class, creed against creed, faith against faith. It has promulgated discord where peace reigned

before. It has fed riots and disturbances ; has kindled the worst passions of men ; and blinded them to the lasting interests of the country. As a temporary expedient it has failed : as a permanent device it has not been supported by any one. The worst evils of protection have been witnessed in the conduct of our political life ; and the protected communities have actively refused to better their lot ensconced by the privileges statutorily assured. If it has created some disposition to unify and develop the national sentiment it might be an excuse ; but that is neither here nor there. It is easier to tickle the petty prejudices and scruples of caste or of faith ; it is difficult to show some solid work or worth before a composite electorate which would judge men and their failings from a rigorous standpoint. Hence the plea for separatism. It cannot appeal to anyone bred in the principles of western democracy which has long since merged its tribal with territorial patriotism. The only passport to popular and elected legislatures is that of the citizen of India. As the votary of a faith or the worshipper of a particular shrine, his place is in another body which is always ancillary to democratic institutions. He may yet belong to an important estate of the realm, but he may not defile the elected part of it.

CHAPTER XVI

THE LEGISLATURES

EVERY institution, whether ordained by God or devised by man, has two parts, the useful and the ornamental. The useful part is not wholly unornamented, nor the ornamental part wholly useless; it is only on the principal feature that emphasis is laid. The political institutions of a country form no exception. The useful part is the lower house where the representatives of the people congregate and trudge along the weary path of legislation. The ornamental part is the upper house where peers and peeresses meet to exhibit their valuable possessions of pearls and brilliants. If the sombre reflections of debate are not now and then exhilarated by the enchantments of the ladies' gallery, politics would be a dreary game. The Council of State is not a beauty parlour; but as an ornament of the legislature it has a distinct place. It was brought into existence under the reform scheme to play its role as the final legislative authority in matters which the Government might regard as essential. It was intended to be a council of elder statesmen, though no qualification as to age was

imposed and younger men have been returned to it than even to the Legislative Assembly. It was to be the supreme legislative authority for India on all crucial questions and the revising authority upon all Indian legislation. Men of experience and dignity armed with a record of services which would invest it with a senatorial character and the qualities usually regarded as appropriate to a revising chamber, were to be returned to it. That was the wish. Its principal business was not to initiate but to revise. Mr. Montagu anticipated the constitution of a body representative of the Ruling Princes to deliberate on common subjects and it was with the Council of State it would confer. Its members were to be on a par in status and position with the Ruling Princes who cannot of course meet on terms of equality with the representative proletariats without suffering loss of dignity and decorum.

At a time when the second chamber has got into much discredit with the upholders of democracy, and a bicameral system is only suffered as an instructive study in the evolution of parliamentary government, the creation of the Council of State required no small courage. Nobody believes in the theory of a revising authority which is only put forward by the instinct of human conservatism to retain hoary

and time-honoured institutions and find out by ingenuity some justification for their survival. When a party system is in full vogue, controlled by a body of intelligent voters, with an opposition ever on the alert to expose the weaknesses of the powers-that-be, the passing of legislative measures may safely be said to be the result of considered criticism and acute controversy. There is no question of rushing through. Delay and not precipitancy is the besetting sin of democracy. A further instrument of government to revise any hasty legislation of the popular house is only a further means of delaying reform. That the second chamber is the repository of exclusive wisdom, not easily available to the lower house, is a claim which even the stalwarts of the privileged order will not advance. The best intellects of every age have always been attracted to the combative house and are repelled by the entombment of a quieter place. The popular chamber normally reflects the keenest and the acutest brains in politics ; and the wisest and the most sagacious do not wait for the second chamber where there is none. Where there is, they may gravitate to it not because of their love of it, but because of the exhausting nature of the work in the popular house. They like a little rest and get the repose they need. The more ardent spirits cling,

however, to the familiar forum, the atmosphere and environments of their heroic fights.

The Council of State has thus come to stay and there is no getting over it. There are reasons in the conditions of the country why it should. It may be a defect of his qualities, but the ardour for sharing in political disputations is not a trait conspicuously present in the educated Indian. His attitude is one of singular indifference to the political fortunes of his country. The spirit of religious combat is lacking in matters mundane and he holds himself aloof from electioneering contests. An eminent Parsee, Sir Pherozeshah Mehta, used to say that he always stood at the bottom of the poll as canvassing was not particularly in his grain. But many an educated Indian thinks it *lèse majesté* to canvass for the suffrage of all and sundry. This intellectual detachment has its drawbacks and the people get by such abstentions the sort of representatives they deserve. So long as that trait persists and the best men do not take kindly to the allurements of the hustings, some system must be devised to implement their energies to the services of the State. The nomination of such men to a council of elderly statesmen is the only safeguard to prevent the stampede of professional politicians into the legislatures of the realm.

Even in the West, where the people take to politics as the duck takes to water, there is an evident indisposition on the part of men distinguished by scholarship or eminence of some sort or other to join the electioneering fray. They prefer the placid contentment of nomination. As the types of men who would be an ornament to any legislature and yet not be coerced into elections, would be a desirable acquisition, they will have to be congregated in a house which, if it lacks popular sanction, will yet vindicate its claim for honour by the intrinsic merits, experience and prestige of the members. Such men as retired judges, high executive officers, men of letters, journalists, scientists, captains of industry, bankers and active business men will neither have the general disposition nor the requisite qualification to fight a political contest and nomination of them for a period or two in the upper house will clothe the legislature with the diversified experience in the world and its affairs it so much covests.

The Council of State has not only to be the warehouse of the intellectual recluse as against the political firebrand, but also of the free-thinker who will not be harnessed to the party yoke. The political minorities in every country form by no means an insignificant part of the

voting strength ; but they have no effective power to tell upon the legislature. The freelance is the incipient organiser of great movements ; but till he gathers strength, he can find no representation. The voter shows him his back. The political hawker controlling party organisations keeps him at bay. That he needs must be represented is realised in every democracy ; and devices have been suggested, such as the cumulative vote and proportional representation, to mirror the different thoughts and currents of popular feeling. None of them have been found to be successful and of sufficient strength to resist the wire-pulling of party machines. The cumulative vote and proportional representation have their drawbacks and the fairest way of securing representation is the creation of single member constituencies of more or less equal voting strength. If they escaped the vigilance of party wire-pullers, it is claimed for these devices that the legislature will be full of faddists and fanatics representative of the concentrated eccentricity of the elector. But in the scheme of life political cranks have their uses and they should not be shut out because their views have not tacked to them the party label. If the impremateur of a party machinery is a pre-requisite of political propaganda, there would be no scope or incentive

for originality of thought or expression. There is no reason why the Council of State should not, as a reflector of the varied movements and activities of life, find place for those whose views have not been elevated to the dignity of party issues. An upper house will be well within its limits if it embraced political minorities.

But it is with reference to the social and religious minorities peculiar to this country that the need for a second chamber is more seriously felt. Those who are not enamoured of a council of elders or a revising authority over the popular legislature are even more strenuously opposed to religious differences being exploited for political purposes. The divorce of religious rancour from a political combat is an unmistakable symptom of the capacity for responsible government. Whether in the exercise of the vote considerations other than merit usually intervene may be a matter of doubt; to the minority communities it appears to be certain. The party managers whose business it is to froth up enthusiasm may employ methods not strictly relevant and unobjectionable; and if the kindling of religious passions pays, it cannot be prevented though it may afterwards be repented. Those who want to serve mankind ought not to expect too much

from it; but it is up to them to see that considerations foreign to political controversies are not imported in the dispensation of the vote. It is only by the cultivation of a spirit of tolerance that political fights can be elevated to a standard reasonably certain to invite those who now stand aloof from it, the scholar and the recluse, to take part in it. And if, as is apprehended, any particular class or community is rigidly excluded from participating in the work of the legislatures by elections on a territorial basis, the Council of State is the available vehicle for securing such participation. As the citizen of India it is the duty of every elector to dispense his vote irrespective of class, creed or faith; he should not degrade the popular legislature into a representative menagerie of the extant social and religious distinctions. And if a particular community feels hurt by inadequate or want of representation, the claim may be made good in the Council of State from among those who have been subjected to such ostracism. The Council of State will thus be a counterpart of the Assembly making up its deficiencies and forming along with it an organism holding up a true mirror of national life.

The true character of the Council of State being a complement of the Legislative Assem-

bly, together with it reflecting all the elements that make up the political world of India, it follows that alike in its constitution, duration of life and powers, there must be a necessary coordination between both arms of the legislature. The leaders of minority communities are satisfied that the present system of over-representation in the Assembly by separate electorates is the best that can be devised for imposing minority views on the majority ; and for the sake of peace and harmony the majority seem to favour it. But when elections are fought on a communal basis the truce can only be temporary. There is exultation on one side and heart-burning on the other. The gain cannot be all on one side and the loss on the other. If the minorities are not prepared to depress the partisan and exalt the citizen, they must pay a price for participating in the political activities of the country. They must be prepared to forego excessive representation secured through their electorates ; and look for making good any deficiency by the backdoor of nomination to the Council of State. The constitution of the Council of State must therefore undergo revision. It is limited in the main to election by specially created constituencies with a high property qualification. Out of the sixty seats thirty-three are thrown open to

election and the rest are nominated from officials and non-officials. In view of the possible enlargement of the Assembly, the Council of State may also have to increase its members and it may safely be fixed at double the present figure. Of this fifty per cent may be thrown open for election and the rest must be reserved for nomination by the Viceroy with a view not only to secure the types of men mentioned by Lord Bryce as being appropriate for representation in a second chamber, but also to make good the loss sustained in the general elections to the Assembly by the minority communities. If in an Assembly of three hundred members, a figure not too much for the population, not even a single non-Hindu should be returned and if a similar fate should follow the elections in the Council of State, even then the nomination of the sixty seats from the non-Hindu creeds and communities would secure for them a reasonably fair representation in the legislature. After all they form but a fourth of the total population. But such a contingency is unlikely. They may safely be expected to capture a good number of seats in the general electorates both for the Assembly and the Council of State and a further nomination will give them the protection without preference, which is all that they can reasonably

claim. If the minorities prefer election through their own communities to the Council of State they may please themselves by so doing.

The constitution of the Council of State being so defined, not as an additional limb to secure the affirmative power of legislation of the Central Government, but as a parallel organisation complementary of the elected house, the Assembly must remain the main centre of legislative authority and power. With practically no hold on the executive irresponsibles, the Assembly has yet attained a position which seems to have provoked the envy of the Services. It has overshadowed the Provincial Councils in the affections of the people and the importance of its activities. Even responsible Ministers of the provinces have failed to win the applause of the populace as all-India politicians have done. Nobody pays them the homage offered to the latter of free will. The marked contrast in the reverence paid to them has set the wags nagging and one such recently endeavoured in the hospitable columns of the *Manchester Guardian* to set up the one against the other. In this cynical endeavour to rally the provincials he has vainly tried to exploit the intensive demand for autonomy. The Assembly is henceforth to be an echo of the Ministers' voice, recruited from among the nominees and partisans of the

satrapies. As they will be dependent upon their patronage they can always be pulled up by the Ministers. With a Central Government absolutely irresponsible to the Legislature and the Assembly itself being degraded into a second and minor edition of the Provincial Governments, bureaucracy can have all its own way. The provinces will have complete autonomy secured to them by the withdrawal of the important powers yet with them, like Police, into the hands of the Central Government. And so will a body of provincial administrators be created who can be easily manipulated by threats, honors, and cajoleries. Judas is not particularly a Palestine product. His variety thrives in the waters of the Indus, the Ganges and the Kauveri. Such an attempt at rehabilitating Ministers at the expense of the Assembly leaders might help them in dispersing and dissipating criticism and strengthening the hands of the bureaucracy for the nonce ; but it is too late in the day to go back even with the Simon Commission on the Montagu reforms, scrape direct representation and revert to the pre-reform system of nominations by the indirect method of provincial legislators. It is a subservient Assembly that they long for, a tool in the hands of provincial nonentities. It is responsible government in the centre that the

country demands. Between the aspirations of the two there is a gulf which the Simon bridge may not connect.

Orderly evolution requires not the weakening but the strengthening of the Assembly, its renovation and rejuvenation into the seat of responsible government. It must be broadbased upon the affections of the people, founded upon a tolerably wide franchise, capable of representing as large and diversified a number of electors as possible. It has been observed that certain classes who are not in a position to secure representation through the general electorates, such as labour and the depressed classes, should be directed to return their nominees by their own unions and organisations with a view to avoid the risk of unduly lowering the franchise. A similar system now in vogue with regard to Commerce, Indian and European, and landholders may also be retained. The allocation of certain seats to the Universities by the registered graduates, with a minimum of two seats to each University, might complete the groups invested with special representation. It has also been observed that the seats so reserved for these interests should be limited to twenty-five per cent of the total number of seats available for election. The rest must be thrown open for contest on a territorial basis in a roll

made up without reference to caste or creed. In order to secure adequate representation to these varied interests and also to the general population, the number of seats will have to be more than doubled. A member for each district is a necessary minimum and the presidency towns may have to be adequately represented. Allowing for special seats to the interests mentioned above, the membership may amount to anything between three hundred and four hundred and that would not be too much for the country with its vastness and population.

We envisage a legislature entrusted with responsibility in the subjects already mentioned and a government by Ministers amenable to them, with the Viceroy as the constitutional head and representative of the King-Emperor ; and the Assembly and the Council of State must be so organised as to fulfil that mission. If it is a question of perpetuating and stereotyping the existing system both of them may be left as they are, untouched, like the advertiser's Nestle's Milk, by human hand. Such a thing would be intolerable. It may exhibit the vacuity of British statesmanship, but it cannot solve the problem of constitutional advance. If the Central Government should fail to respond to the will of the people as reflected in the Legislature, and chosen also from among the

leaders thereof, not even the bribe of autonomy to the Provinces can win the leaders, provincial or all-India, to the side of the bureaucracy. Resistance to such avowed reactions would be defiant and unanimous. There is an old proverb that says that blood is thicker than water; and in the struggle which unreasoned bureaucracy is provoking against the upright forces of nationalism, the little policy of *divide et impera* will not succeed. You cannot play off the one against the other for ever; you can fool some of the world for some time, but you cannot fool all the world for all time. Provincial politicians and imperial politicians are alike determined on winning responsible government both in the provinces and in the Central Government. The enlargement of the Assembly and the Council of State as the two arms of a responsible government with co-equal powers of administration and legislation is the imperative need of the hour. The ministry will primarily be drawn from among the leaders of the Assembly; but it will also be represented in the Council of State whose concurrence is necessary in the passage of every legislative measure. As in every country with a parliamentary form of government, demands for grants will be made and supplies voted only by the Assembly, though every money bill will have to pass through the

Council of State, which is also the present constitutional practice.

The respective rights of the Viceroy and the Secretary of State, where the Ministers have secured the affirmative sanction of both arms of the legislature, have already been adverted to. If the Viceroy should happen to agree, or when he disagrees, the Secretary of State should happen to agree, with the Ministers, their policy will prevail. The responsibility of Parliament will have been adequately discharged by the approbation of either. But when the Viceroy and the Secretary of State agree in disagreeing with the legislature the intervention of Parliament would be necessary and its concurrent power of legislation may have to be invoked. It is, however, when the two branches of the Indian legislature do not agree that the real difficulty would arise. Various devices have been adopted in countries which have established a bicameral system to solve the impasse. After years of struggle the Parliament Act of 1911 provided for a bill becoming law after two years from the time of the first introduction in the House of Commons if it had been passed three times in each session in the Commons and, sent up one month before the end of the session to the Lords, had been three times rejected. Such automatic passage into law is

adopted in other bicameral systems as well. Under the Indian Legislative Rules, if the two chambers are unable to come to an agreement, a joint sitting is provided for after the lapse of six months to consider the bill. Such a provision gives due weight to the co-equal status of the two chambers. With a responsible government it would follow that on the rejection of a Government bill in another place, such a joint sitting may be held in abeyance till an appeal is made to the country and its verdict ascertained. It is likely that either the lower house may change in its constitution or the upper as the result of the elections. In either event, the problem will have solved itself even without a joint sitting. And if there should still be a deadlock, the matter may be reported to the Viceroy who, if he agrees with the Ministers, may signify his assent to it, and it will become law as if it had been passed by both houses.

In the constitution of a bicameral system the object must be to see that the chambers are not set up antagonistic to each other. There is a tendency for such a spirit pervading the atmosphere of either in every country which has developed a two chamber system. The popular house is apt to look askance at the other and charge it with suffering from meddlesome senility ; and the latter, arrogant of knowledge

and experience, to pay back the compliment and charge the former with heedless impetuosity. Deadlocks have been created which are to say the least unseemly. Short as their experience has been the Council of State and the Assembly have generated against each other a spirit of rivalry not of a healthy kind, and to a certain extent have justified the remark of the Abbe Sieyes that if a second chamber differed from the first it was mischievous and if it agreed with it, it was superfluous. Drawn from more or less similar electorates and having co-ordinate powers, they have reason to be jealous of each other. But the Council of State constituted in the manner suggested above will be a useful adjunct and not a rival of the Assembly. Both of them will be self-satisfied bodies. Democracy will have been appeased by direct elections on a territorial basis for the popular house ; and the second chamber will have been recruited from among those who have not been adequately represented in the Assembly looked at from the point of view of communities. It is immaterial in which house the minorities are represented ; all that they want is to share in the responsibilities of government. The communities ought to work smoothly and must begin ere long, with all fears of their neglect being dissipated, to merge in the common citizen of India and divide as they

must on principles and policies. As members of an upper house communal minorities must have their amour propre more than vindicated, and cease quarrelling with the majorities for the ugly determination of seats and berths. And once the communal jealousy is abated by the magic operation of a common electoral roll, we may safely anticipate the speedy abandonment and extinction of the present ruinous policy of national issues being clouded by petty malice and bias; and the Moslem and the Hindu will stand as political entities divided perhaps on political issues and not as worshippers of two rival gods who can be appeased only by breaking each other's heads.

The question of a bicameral system to the provincial legislatures, whatever its attractions to the Central legislature, will not be pressing in view of the practical withdrawal of the most important subjects of taxation and public finance from the Provincial Governments and their vesting in the Central Government. Even with autonomy the provinces will, under the scheme already adumbrated, be mere nurseries and preparatory schools for the wider parliamentary work in the Assembly and the Council of State; and there will be hardly work enough for two chambers to perform. Most of the federal governments have for their states a

unicameral system and in the circumstances of India, when we have impressed on us the need for removing taxation and finance to the Central Government, a single chamber will hardly find enough work to keep it going. In the absence of the power of taxation, and for carrying on the day to day administration, the communal rivalries which have marked the dyarchical experiment ought to die, the efforts of the ambitious politicians being diverted to the administration of the Central Government, and to capturing seats in the central legislatures. The provinces will look after the administration of those departments in which their own financial commitments will be limited to furthering local self-government and otherwise managing the purely provincial concerns for which moneys may be earmarked by the Central Government. And under the advice of the provincial Ministers the Finance Member will allot funds for expenditure to the various provincial departments. The organisation and control of these departments, such for example as the Police and the Prisons, which are purely provincial matters, while on the administrative side under the control of the provincial Ministers, will yet be financed by the Central Government. The subjects which will mainly concern the Provincial Governments are local

self-government, with the power of taxation for purely local purposes, education, public health, sanitation, rural reconstruction, religious and charitable endowments and other subjects now forming the revised and transferred branch of the administrations, except those concerning public revenue. With its work so attenuated there cannot be scope for a bicameral system. Within the limited sphere, the provinces will have complete power of administration and legislation and with it they will have started on a career of full responsible government. It need hardly be added that the same arguments in favour of a common electoral roll will equally apply in case of the provincial legislatures.

CHAPTER XVII

THE ADMINISTRATIVE SERVICES

THE introduction of responsible government must effect a radical change in the conception of the status and position of the Services. They have held a position analogous to that of Cabinet Ministers and independent rulers with powers absolutely unchecked and unbounded. From their ranks have been recruited some of the members of the Executive Council both of the Viceroy and of the Provincial Governors as well as Judges of the High Court. They have held the headship of all the minor provinces. Except the offices of the Viceroy, the Governorship of the three main provinces and Chief Justices of the High Court, there is no office under the gift of the Crown to which they cannot rise or which has not been held by them. They make the laws which they administer and lay down the policy which they carry out. There is no branch of administration to which they are not duly and eminently qualified. Their versatility is presumably sublime and unequalled. They are experts not in one or two but in all subjects under the sun. What they do not know is not worth knowing. The

expert land revenue officers of yesterday, unfailing in their knowledge of survey and settlement, will today be found in charge of excise, or collecting customs and in course of maturity into experts in commerce and industry for the morrow, preparatory to holding the reins of public finance the day after. They are distinguished educationists, engineers, and sanitary experts. They are even diplomats of a very high order. The Indian Civil Service is the greatest administrative workshop turning out from a pin to a battleship and there is no underrating the quality; and every pin rates itself as high as a battleship. The sobriquet of a heaven-born service earned by the encyclopaedic range of their career and their ill-concealed conceit, indicates the awe that they inspire and the distance they keep from the mortals around.

The historic antecedents leading to the concentration of all power, administrative, executive and legislative, conceivable and inconceivable, into the hands of just about a thousand young men not one of whom has grown a grey hair, has to us a familiar background. The British supremacy of India has been an unorganic growth due more to the exploits of individual adventurers than an organised conquest with a settled purpose.

A trading and commercial company found itself in the throes of a disintegrating power broken up by internal dissension and rebellious chieftains warring with one another, and chiefly by playing the one against the other and joining the side that ultimately paid, substituted itself in place of the ruler it dethroned. Amid the distractions of war, diplomacy and conquest, it had not the time nor had it the patience to lay out a system of administration which would be scientifically correct or constitutionally proper. Its main considerations were to raise the revenue and keep the peace. And as each piece of land or territory was added by lease, conquest or chicane, it placed it under the control of men who would make it paying and prevent bloodshed within. The assumption of power by the Crown was not a guarantee that English institutions would be transplanted wholesale on the Indian soil. It only continued to send forth the same sort of men, this time coloured with university tincture, and with no better instructions. A stream of young men poured into the country with no higher qualification than an university degree, to consolidate an empire which chance and circumstance placed into their hands. The powers of consolidation required no great equipment of intellectual acuteness or experience in the art of governance, but the

laying down of elaborate codes, rules, regulations and instructions from the pasting of a cover to the writing of despatches. The tons of paper that are used and the gallons of ink that are consumed in minuting, copying, indexing and circulating on every subject, great and small, round a wide circle of graded departmentalism might show the scrupulous, mechanical attention to the very minutiae of work turned out by these men whether in the plains or the hills. But of what avail all this?

Since Lord Curzon delivered his fine panegyric on the services describing them as the ablest on earth, the real empire-builders who did more than perspire, others have felt it difficult to overpaint the picture. But there was a description of them given by Lloyd George which contains a rare element of truth. He described them as the steel-frame of the Indian Government. It is only too true. They are as hard, cold, immobile and irresponsive as the British standard steel. It is unlike the continental quality which might bend under pressure. In the magic land of India a hero was once made out of a vagrant boy, but never a statesman out of a school-boy. And yet hundreds of these school-boys annually join the army of despatch-writers who do duty from their isolated desks not even of mahagony or oak but of ordinary.

teak ; but whether they sweat in the plains or swing in the gaiety of the hills, they keep a chasm which they do nothing to fill. One does not know which are worse, the gods in the valleys or the gods in Olympia, but there is a striking similarity between them in the cultivated aloofness from the madding crowd's ignoble strife. They are moving in a world of their own and are as inaccessible to the motley crew of the inhabitants as ever. Entranced in the enchantments of the bungalow or the verbosity of their own reports, when they are not immersed in tapals or initialling office orders, they have neither the time to think nor the inclination to imitate. Routine is their God and red-tape the only prophet. Living on their T. A.'s and saving their salaries they dream of their furloughs and nought else besides. Of the men in their charge, the sweating millions that toil in the fields from year's end to year's end, well, they see them in their throngs while out camping and write of them in their reports in excited imagination. He would be a bad trustee who knows or cares to know too much of the ward and if the heaven-born do not cultivate social relationship with the ryots and are too proud to establish personal contact with them, can they not at least from the copiousness of the supply in their compulsory tours vouchsafe for the alarming rapidity

of their recuperation ? At all events they can indite glowing descriptions of their stewardship which might well turn Sir James Caird and the successive famine commissioners from their graves.

That the Services consist of some very able men is no praise of a body picked from the elect of the universities ; and if cleverness is the only equipment of a ruling caste there is certainly a surfeit of it. For the mere administrator it is an invaluable asset. But more than the mere obedience to rules and regulations is necessary in one who wants to rule mankind. He must be capable of thought and of originality ; of quick judgment and independent action ; of wide knowledge of human affairs and sympathetic imagination. These things are not garnered in the school-room or in the office-desk. They have got to be acquired by constant association with the problems of life and repeated endeavours to solve them. The want of them has made the services a soulless, lifeless, mechanical body moving under orders and never able to give one. About ten thousand young men must have been called to the task of carrying on the whiteman's burden in the East. They have proved splendidly subalterns, but have they produced a single captain or officer of the ranks ? Acclaimed in this country as

Avatars, what of their careers in after life with all the wisdom, experience, administrative capacity, power of initiative and unrivalled opportunities for constructive work which they have accumulated while here? In Parliament they have been bores; in business they have made no mark; in statesmanship they have left a blank. Even in the cultivation of the finer arts their endeavours have been fruitless. India has been said to be the grave of many reputations; whether it is so or not, it has not been the birthplace of one even in a race of supermen.

And yet they are the most pampered among the services on the earth. There is no country in the world where the people have been ordained to work for a race of benevolent despots and keep them in a state which might envy a Croesus. Some wag has said that India is a land of regrets. And it is for those who have not visited her. To those who have domiciled for a couple of decades or thereabouts as members of the most compact and powerful trade union in the world, it is yet a land flowing with milk and honey. In years of plenty her millions may be ill-clad and semi-starved; in years of famine they may fall dead on the road thick as the leaves in Vallambrosa. All the same they grow for the Services a

pagoda tree for ever unfailing in its yield. Fancy the richest country in the world, paying its Prime Minister as First Lord of the Treasury a miserly five thousand a year. And that is the salary which is also paid to the principal Secretaries of State. But the head of the Civil Service in India, the Viceroy and Governor-General, usually of the rank of an ambassador or an Under-Secretary on a salary of a thousand five hundred or two thousand, earns the Prime Minister's salary for every quarter. The Governors of the major provinces, usually the aspirants for an Under-Secretaryship, get four hundred less than the highest salaried officer under the Crown, the Lord Chancellor, whose salary is ten thousand a year. The Governors of the minor provinces, who rise from the ranks and start life as Sub Assistant Collectors, earn one and a half times the salary of the Prime Minister. In the order of precedence, if salary is a measure, the First Lord of the Treasury and the principal Secretaries of State come only after the members of the Viceroy's Council and above the Governor of Assam. The First Lord of the Admiralty earns as much as the member of the Executive Council of the Punjab, and Bihar and Orissa, and a three hundred less than their colleagues in Bengal, Bombay, Madras and the United

Provinces. And no wonder that the head of a district is the envy of the Financial Secretary to the Treasury, the Minister of Agriculture and Fisheries, of Labour, Transport or Pensions, the First Commissioner of Works, or the Chancellor of the Duchy of Lancaster. Even the Chancellor of the Exchequer must bow to the Governor of the Central Provinces, for he earns a clear four hundred less and he is certainly worth five-sixth of the Finance Member of the Government of India.

Such an extravagance and disproportion may not be justified outside of Laputa, but anything is possible in this dreamland of Anglo-India. Did not Lord Lee accommodate the Services with a paltry crore and a quarter, though recurring, just to ease their conscience in the matter of their opposition to the reforms? Men who make mistakes about millions need not be punctilious about a few thousands, which is all that is thrown at every individual member of the Service, though the sum total may look a trifle big. That cannot be helped. It is not without its redeeming feature altogether. There is a camaraderie among the group irrespective of race or faith. It is not merely the European members who have helped themselves from the political incapacity of the taxpayers, but the Indian members as well. Every branch of

administration has had its price and there is a freemasonry in the appropriation of the public revenues. The salaries are not votable and the Secretary of State is their especial trustee. The Indianisation of the Services asked for with a view to keep the cost reasonably approximate to the economic conditions of the country is now a barren clamour. The Montford Report advised the avoidance of the differentiation maintained between the rates of pay drawn by European and Indian officers in the same service and the continuance of the practice of giving the same allowance to Indians recruited in Europe as to Europeans. Between the brown and the white bureaucrat there is no difference in temper, thought or feeling and it is to subsist with reference to their salaries and emoluments as well. If a school of politicians has lately risen up "agin" the Government, there has simultaneously risen up a class of public servants "agin" the people and no less blind. These at all events are a well fed lot.

The whole conception of the Services spreading like a spectre upon the people must change with the inevitable reaction of a responsible government. The utilities of an army of touring penmen, with distance annihilated and space over-spanned with communications, have suffered diminution. No longer will they

be called upon to enunciate principles or lay down policies. Theirs will be the duty to follow and obey. Through them an alien race will not seek to govern, to dictate, to command. They will serve with fidelity, faithfulness and devotion a master nearer home. They will be judged as they have judged. They will be exhorted as they have been exacting. They will cease to be the physical embodiments of an impersonal system, but will be transformed into active agents of a live government. The role of an administrator is humbler than that of a ruler; but there is a nobility in doing the proper, the fit and the competent that you fail to discover in the feeble attempt at aiming high and falling low. They have aimed high like rockets and have fallen as miserably low. The discontent of two generations is the result of an administration bereft of the lineaments of the statesman. Admirable in following the well-laid and beaten track, they have failed to carve out new paths of their own. They can walk nowhere but on the King's highway. Weak in counsel, poor in resources, lacking in audacity, they have not ventured afar from the dull road of routine. Under trained leadership they should prove efficient workmen; and it is the aim of a responsible government to assign to them the proper function of action and not initiation, of obedience and

not command, of subordinate independence and not constructive statesmanship.

We have been told of late that the attractions of an Indian service have considerably abated and the best of British boys do not take kindly to an Indian career. Why they should prefer the easy security of a thousand five hundred at Home to the comfortable allowances of an exalted place in India, is not understandable; but under the recruiting agency of Lord Birkenhead, the lost ground seems to have been won and there is now a good supply. The blend of the best from the Universities of the East and the West must keep up a very high tone in a service which can never suffer fall. Only they have got to be kept within limits. Their work will have to be earmarked from that of counsel and control. They may not be Executive Councillors or Lieutenant Governors of Provinces, but the chief executive heads of departments. A responsible government must naturally demur to the elevation of the purely service men to the ranks of provincial administrators as the colleagues of ministers leading the legislature. The highest office they can hold is that of Secretaries and from that capacity they can yet exert enough influence. With such an ideal clearly understood there is no reason why there should be a check to the free flow of

university men to the services. Every private does not take to the arms with the hope of one day wearing the Field Marshal's baton. It is only given to the few to rise to that eminence. Nor is there any reason why every Civilian should hope to be a Governor or member of the Executive Council. And such appointments are limited. We wish the truth is borne in mind and there will be no contretemps such as the one which Lord Birkenhead stumped the university men to avoid.

The reorganisation of the Services therefore in the light of the functions so delimited, is a necessary incident in the evolution of responsible government. The organisation of the judicial department on the lines already adumbrated, the High Courts of each Province being responsible for the recruitment of the staff, has been referred to as being absolutely essential in the interests of the purity of the administration of justice in all branches. The Law Member of the Government of India will then, besides being in charge of law reform, assume charge of the various High Courts and hold himself responsible for the administrative side of civil and criminal justice. If this reform is started, the work of reconstructing a department of tax administration, with what remains of the revenue and other departments,

may be taken on hand. It will be an imperial department directly under the control of the Central Board of Revenue and will have amalgamated the multifarious departments now discharging cognate functions but working as independent units. We cannot over-emphasise the need for the constitution of such a department. Except in respect of those matters where expert knowledge is necessary as in appraising goods for customs or in the preservation or working up of forest products, where specially qualified men may have to be recruited, the creation of a body of tax collectors out of the remnants of the revenue department ought to be feasible. The work may not require much specialisation. Under the Collector of Revenue in each district will work a unified staff differently graded doing all the duties now apportioned among a wide range of departments. The collection of land revenue, the tax on incomes, stamp duties, registration, salt and excise can all be managed by a single staff requiring no great training except what comes of experience in the service.

The creation of a Judicial Department embracing the administration of both civil and criminal justice and an Imperial Department of tax administration, will have taken away from the head of the district the titular function

of preserving peace. He is now maintained in state not so much because he is an essential part of the organism, but because he has remained there long and nobody has asked him why. He may be a territorial symbol of the authority of the Crown within the ambit of the district. But law and order being an essentially provincial concern, a minister should be capable of managing the police and its adjunct the prisons. To him directly the police will be responsible and in his hands will lie the administration of the jails. An independent police taking orders under no extraneous authority ought to develop a high sense of public duty whose absence is now a matter of reproach with them. Their nominal subordination to the Collector-Magistrate has not been of any great use either to the one or the other, except leading to the standing abuse of criminal justice. One of the privileges long since overdue is the appointment as Justices of the Peace of some of the leading men of each district and town. To them the police will turn in times of distress and before them they will prosecute petty cases. Under their orders they will exercise powers to quell a riot or put down a disturbance. And so will they establish a personal contact which they seem to avoid at present and secure a moral foothold upon the

affections of the people which they so singularly lack. The very air of detachment must develop a keen sense of self-respect and when they know that they are under the direct control of a minister ready to protect as well as to admonish, they will also carry in the discharge of their daily round the sympathies of a popular legislature, kind though critical, severe and yet unbiassed.

A group of subjects for which local recruitment can give adequate satisfaction is the maintenance of roads, highways and waterways, public buildings and irrigation. If the standard of education in the technical art of engineering is as high as elsewhere, there is no reason why foreign recruitment should be necessary for such obviously simple matters. Each province maintains a College of Engineering and there is a restricted admission for training. Free trade in knowledge, it is clearly apprehended, would flood the country with an abundance of draftsmen, overseers, building contractors, engineers, and mechanicians which would depress the trade. The principles of the trade guilds of old have therefore been embodied intact. Unless knowledge is shamed of her children, the portals of no educational institution can reasonably be shut against the entrants. The supply ought not to be regulated by the

possible absorption of government. In private life and in semi-official concerns like the railways, there is much scope for trained men. The value may fall in the share market, but that is to the advantage of the taxpayers. The eminent engineers we have been importing are as faulty in their estimates as the indigenous ones and if men can learn only through mistakes, the department of public works has eminently qualified itself for the prize. If the Colleges of Engineering, mechanical and electrical, are maintained on up-to-date lines, the service should be manned entirely by the sons of the soil and by a race of competent men. And what is more, we should be able to run the department at a cost which is on a par with the market rate. A minister in charge of these branches of administration ought to evolve a satisfactory system with native talent and native resources if only the fetish of foreign superiority is abandoned. The need for undivided attention being paid for developing the roads, highways, and waterways well as public buildings and irrigation works is acknowledged to be great. If there is any department in which the progress of the snail is studiously pursued, it is the great department of public works, nick-named wastes. The formation of a purely provincial service run by indigenous man-power is a long-felt desideratum.

The bane of departmentalism and the multiplicity of services is felt in nothing more conspicuously than in the group of subjects which are specially fit for administration by local bodies. The establishment of educational, medical and latterly public health services, is a pale imitation of the Civil Service. The constitution of organic universities, whether out of public funds or private benefactions, must hasten the withdrawal of all governmental control from higher education, followed by the complete transfer of primary and secondary education into the hands of local bodies. An educational service to supervise or control their operations is an unnecessary reminder of an inquisitive bureaucracy poking its nose into everybody's concern but its own. Such sums as are now spent in the maintenance of departments may well be distributed to the local bodies and institutions managed by them. They will not suffer deterioration for lack of an annual inspection lasting for a couple of hours. Nor is there any need to run institutions at public expense even as models when private bodies are no less eager to keep the standard uniformly high. The Universities may well be handed over the Colleges now maintained at State expense tolerably sufficiently endowed. The ideal of a teaching University can never be accomplished

if the Government Colleges are not transferred to them as a nucleus and centre of well-equipped and efficient institutions. Reform in the direction might release considerable funds for the spread of knowledge if not for the drafting of reports. It is an encouraging sign of the times that the old spirit of endowments to religious and charitable purposes is manifesting itself in generous and munificent grants to Universities impelled by the contagious example of public-spirited men. The Hindu University of Benares and the Mahomedan University of Aligarh are only pioneers in a mighty movement of intellectual renaissance nurtured and nourished in the great traditions of Oxford and Cambridge. And the greatest service that the Government can do is to hold their hands off only letting the Universities have a few lakhs when their coffers would allow it.

Even more astounding is the Medical Service; whose final reorganisation announced a few months ago, is a positive demonstration of a people having to strive to keep the services well embroidered. That allopathy should thrive in the birthplace of Agasthya and Dhanvanthri need not cause surprise, for knowledge has no territorial limits; but for the sake of a handful of men belonging to the Civil Service, who will not be treated by men of other nationalities, an

imperial service should be constituted, eighty per cent of whom are to be recruited from the ruling caste, medical organisation still remaining a provincial transferred subject, is a mockery of responsible government. Nobody would grudge these men the treatment they desire and to a large extent it might be sympathised with. But it should be possible to meet the wish without jeopardising the interests of economy or of medical administration. The establishment of typical hospitals in convenient centres in each province entertaining a body of trained European men and possibly women, should satisfy the demand for medical attendance they may be in need of. You cannot bring it to the very door. But the normal demands of the country can be supplied by the large body of qualified men who have set up practice on their own account. There is hardly a town which has not a copious and increasing supply of registered medical practitioners satisfying the needs of the rich and the poor alike ; and it is really the distant villages that stand in immediate need of relief. It is essentially the function of local bodies to organise a system of medical relief which may at once be cheap and certain. The organisation of a purely provincial service within the scope of the financial possibilities of local bodies is all that the State need provide.

An imperial service, absorbing about three hundred officers of distinction, is a white elephant the country can safely go without. If the model hospitals entertain a few score of trained men, they would have given the necessary fillip to the peculiar void felt by patients of alien nationalities.

It is not our purpose to lay down the lines on which the reorganisation of every department of public service should proceed, but that rather we are anxious to emphasise the correlation between the services and the masters they have to serve. There is no meaning in indenting men from the sands of Sahara to preserve the forests of the Himalayas ; it would be part of wisdom to seek for them nearer home. It would be equally ridiculing responsible government to make medical organisation a transferred subject and shove on accommodating ministers an imperial service of military surgeons. If primary education is a purely local concern, the local boards must manage it ; if irrigation and public works are provincial subjects, the provincial Governments must recruit and manage the staff. And so with regard to every branch of the public service. Recruitment for the services has happily been placed upon a Public Services Commission immune from party influences. The supreme test of merit is

the main qualification which will guide the Commission in the choice of the personnel and it will be decided by competition. Nomination has been thrown in as a sop to the communal Cerberus, but with increasing knowledge and growing patriotism, it may be abandoned though not long before it has worked the full measure of its mischief out. Above all, the supreme need is to cut the coat according to the cloth. There must be a reasonable connection between the value of the service and its price. A wartime extravagance must lead to inevitable bankruptcy, though a nation may not be quick in feeling its painful throbs. By our present system based upon the recipe, the good old rule, the simple plan, that those may take who have the power and those may keep who can, we are only hastening the crack of doom.

CHAPTER XVIII

A PROJECT OF EMPIRE

AND now it is necessary to bring these stray reflections to a close. They have expanded far beyond the limits originally set and yet there is a feeling stealing over us that the argument might have been considerably reinforced by apt illustrations and appropriate detail. It is three years since Lord Birkenhead threw out a challenge to Indian publicists to bring out an approved constitution for his consideration. The preceding pages do not supply an answer to that challenge. We are painfully conscious that not only will there be want of unanimity in the scheme propounded, but that many aspects of the problem are likely to provoke bitter opposition from different groups. Those who want to develop a federal system as being appropriate to the natural traditions of Indian democracy, whether they are Congressmen, Swarajists or Liberals, will oppose the unitary type that has been advocated. They form a decidedly preponderant number among the vocal section of constitution-makers. They are sure to resent the degradation of provincial autonomies into enlarged county councils with

no power of taxation or borrowing. The re-establishment of centralised finance, though under the safeguard of a responsible government, and the novel proposal to organise a department of tax administration may meet with no better fate from interested servicemen and enthusiastic federalists. Even the very modest proposals for judicial reform may be open to attack from various quarters. The introduction of a system of responsible government in the Central Legislature will be too strong a pill for the bureaucracy to swallow and the Services cannot be expected to have a kind word for the reduction of their status from that of masters to men and more especially for giving them a wage appropriate to the service and not in keeping with their time-honoured dignity. Communal reactionaries and their friendly apologists cannot approve of their segregation in an upper house with or without the right of being returned by special electorates; and minorities will resent the denial of the rights of the majorities they have been encouraged to demand. Even the British Parliament may not care to take a living interest in the fate of party politics in India, but look askance at the invitation to exercise its powers of concurrent jurisdiction as a needless disturbance of the sleeping partnership it has so long maintained.

But the views are adumbrated with a due sense of responsibility permissible in one who has well-nigh spent thirty years in unobtrusive public service in the quieter walks of journalism. They would not have been written if the country did not stand at the parting of the ways. Whatever may be the result of the labours of the first Statutory Commission, the next step in constitutional development, whether a set-back or a progression, will have decidedly committed it to a system which may have far-reaching effects upon the destinies of the two great peoples accidentally knit together by six thousand miles of land and sea. Of croakers we have enough and to spare. They thrive in the mire of British ignorance and Indian communalism. Egged on by their heedless impetuosity, it is easy for the Commission to formulate in haste what they may have to repent at leisure. Politics, said Lord Morley once, is a game of second best; and there is no place in it for idylls. Practical considerations must outweigh the theoretically best. It is needful that a body of realists rose up and took control of the forces that are leading to inevitable disruption and dismemberment. We had till recently at the head of British diehardism a statesman who is singularly incapable of believing what he does not want to believe. The

degeneration of a promising essayist into a politician had exposed the fates of this country to unreasoned attacks from one who refused to rest his feet on the terra firma of solid facts. Lord Birkenhead's knowledge of events in India is as accurate as his knowledge of the inhabitants of Mars. His stop-gap successor is no better. He seems to think that an ancient people, with histories and traditions of no mean order, can be permanently governed by holding them in a state of perpetual siege. His assumption of racial superiority and the air of benevolent patronage have failed to pass muster except among those crazy communal victims who want to butter the parsnip. Others are only provoked to exclaim, "These be thy Gods, Oh Israel!" You can hold a people captive for a while, but it is a hazardous venture to do so till eternity. The whirligig of time brings with it its own revenges.

The hard fact which it would be good for British democracy to know betimes and guard against is the disillusionment that has come over the Indian people on the physical basis of British rule. The holding in subjugation of a fifth of the human race by a tiny knot of Civilians, less than two thousand strong, and an army of occupation just about half a lakh, is an unprecedented example in the history of foreign

domination. Its continuance for a space of two centuries and the certain prospect of a further perpetuation of the bondage, have aroused the the curious to ask, is it after all Maya or is there a moral sanction behind it ? That British rule in India was founded on Truth and Justice, committed to live only so long as the subject peoples grew to a state when they could manage their own affairs, was one of the eternal verities of an earlier race of Anglo-Indian administrators; but a rude shock has been given to that faith by the series of acts of high and low, at times thinly veiled and at others openly avowed. It is now abundantly made clear by statesmen of whatever political complexion that they regard this country as only an European plantation in eastern waters for the benefit of alien exploiters. The material interest is to be secured by force of arms raised and equipped at Indian cost. That the Army is the ultimate sanction behind British rule, not the growing allegiance of the people to a righteous and benevolent system broadbased upon their affections, is repeatedly trotted out by all and sundry who know no better than resist from behind the demand for an effective form of responsible government. The insistence on armed strength has removed the edge of whatever moral fervour there might have been in the early entrustment of the governance of

the country and has reduced it to the level of a narrow, selfish and exclusive materialism, proverbial with a nation of shopkeepers.

If India will ever win back her freedom, the timid may safely be assured that it will not be by violence or force of arms. A thoughtful Government has with sufficient foresight disarmed a whole race and completely emasculated its growing manhood. Isolated importations of stealthy rifles and the hidden manufacture of treacherous bombs—instruments by the way of western civilisation in the craft of man-killing—may be used by the thoughtless and the impetuous to terrify a nervous few; but they will never be used wholesale for the destruction of the foe. A new method of warfare peculiarly appealing to the spiritual instinct of the people has been opened by the sage of Sabarmathi; and, organised on a large scale and in a mass movement, it is sure to wash away in its imperious march as of a mountain glacier all obstruction in the way. The greatest service that Mr. Gandhi has been able to render, not only for the cause of the Empire, but for humanity as well, ever since his advent to politics, is his starting the much-maligned movement of passive resistance. He has given a death-blow to all crude attempts at physical violence for political emancipation and has

brought under disrepute and contempt the incipient anarchism that had sprouted in parts of Bengal. He has taught that the path to Swaraj does not lie through man-slaughter, but in the joy that comes of silent suffering. Two thousand years ago the son of a carpenter, Jesus of Nazareth, laid down his life on the cross in the noblest service of man and has thereby founded a kingdom far greater than what the legions of his persecutors had won by their reckless wars. The heroic suffering of one has brought the earth nearer heaven than all the perennial conquests of the Cæsors. The puny successors of Pagan tyrants may crush the life, but cannot carry away the strength of the soul. Let us then resolve to suffer and suffering die, is the encyclical of the high-priest and the flock is increasing in numbers. One of the wisest sages of ancient times laid down the precept, the cherished treasure of every Hindu, *Ahimsa Paramo Dharmah* (non-violence is the greatest virtue). Nurtured in that tradition, it is no wonder that the millions listen to a voice—sincere and saintly, unaffected and good.

This is the greatest danger that besets the blind bureaucrat steeped in the grossest materialism of the West and incapable of appreciating the noblest sacrifices of man. Even as this was being written, a tiny part of the country was

experiencing the trial of strength between the brute force of the bureaucracy and the soul force of a humble and ignorant peasantry. Stern and relentless, the Government of Bombay had declared war against the unarmed peasants of Bardoli. The people of Guzaret are one of the many who have fallen victims to the operations of the settlement department and complained against the recent enhancement of the land revenue as grinding and oppressive. They begged, they prayed, they petitioned for reconsideration. Their representatives in the Council, eight in number, implored the Government in vain, and resigned their seats. Finding all attempts at negotiation fail, they resolved upon a no-tax campaign. They refused to pay a tax in the settlement of which they had no voice and which came to be imposed upon principles which, in contemptuous defiance of the recommendations of the Joint Select Committee of Parliament, the executive holders of power have refused to bring under statutory control. Sir Leslie Wilson withdrew, accompanied by the official friends of the peasants, to the hills to cool their heads—and they required to—having given a carte blanche to the men decked in brief little authority to collect the revenue somehow. A special magistrate was imported to help in the process and Pathan soldiers quartered, of

course, to befriend the ryot. Moslem officers were told off to distrain the mud pots and brass-vessels of impoverished Hindus. Their milch-cows were attached and sold and sent to the slaughter house. The only thing that for a time was getting cheap in Bardoli was beef and a body of volunteers, the foes of the peasants, who taught them to suffer and to die and were marched for the offence into the gaping mouth of the prison. But neither the peasants nor the volunteers seemed to care ; they welcomed with joy the martyrdom of prison and poverty, if only the Gods in their anger may be appeased. Vain hope ! In the pleasantries of hill life what cared they of the sufferings of frail mortals below ? Rome may be burning, but Nero must needs be fiddling. As every day passed, more houses were broken, more families ruined and more milch-cows slaughtered by the never-failing friends of the peasants. And these things were done in the name of the British voter and the British Parliament, which is God's chosen trustee of the voiceless, teeming millions. There are a thousand five hundred Bardolis in India ; but it may not be equally comforting to know that there is only one Maharajah of Burdwan.

That is the plight into which a thoughtless and unimaginative race of bureaucratic boys

have reduced the country. The movement is as yet in an incipient stage and the combatants are only reconnoitering. A little imagination should, however, show to what it may all lead. It is easy to suggest that frightful methods might succeed for long. And so did the little Kaiser flatter himself. He evolved out of his kultur a kind of frightfulness to terrorise the universe, but the universe consistently refused to be terrorised. A parody of it was enacted in the Punjab during the martial law regime and it cost a commander his career. It left behind a legacy of racial hatred the bitterness of which time has not yet assuaged. In Bardoli and elsewhere it might be followed with gusto, but with no better result. For a time it may succeed and the innocent may suffer; but the moral sense of the world will yet rise in revolt against such fearful oppressions. Frightfulness is no substitute for political impotency. You can raze a town or village to the ground; throw bombs on ignorant villagers from your aeroplanes and decimate a country by a few shrapnels emitted from fourteen pound howitzers. But you cannot quell a people determined to suffer. Neither bombs nor bayonets can conquer the soul struggling to be free. To them stone walls do not a prison make, nor iron bars a cage. Inured from birth to a life of

penury, tortures have no terrors to the needy and the poor; and a brave heart will not succumb to the treatments of the jail. The Satyagrahi actually trains himself for it. He looks upon prison life as an incident in his career and cheerfully undergoes it. The example of every Bardoli peasant, whose property was confiscated and freedom withheld, is a beacon-light which kindles and inflames others of his countrymen. And if the reserves are full, they only reinforce and attack. It is the charm of passive resistance that there are very few casualties in the ranks of the oppressors; but even the demented must feel ashamed of their conduct and be disarmed. How long will a highminded people continue their frightfulness? In the merciful remorse of the oppressor lies the unconquerable weapon of the passive resister, whom Mr. Gandhi has brought into being, organised and is leading. It is his hope that by the policy of frightfulness into which they are driven, the Government of India may be exposed to the moral obloquy of the civilised world, who may yet demur and call upon the people of Great Britain to render a true and proper account of their stewardship.

The limitations to the successful operation of the movement are in the communal dissensions and the jarring elements that make up the

people, combined with their phenomenal ignorance and decisive absence of passion to the political fortunes of the country. Full and complete advantage of these factors is being taken by the local agents of the ruling power to counter the efforts of the passive resister. A movement such as the one which Mr. Gandhi so successfully organised in South Africa, among a limited number of foreign immigrants intensely feeling the oppression of the Government, cannot be led to a successful issue when the population is large and divided by petty conflicts. If the steam-roller began to move it may well crush obstruction underneath its weight, but the difficulty is in giving it the initial motion. And that is the mission in which non-cooperating Congressmen are now engaged. It is a perfectly legitimate attempt, but nobody knows the difficulties more than the men actively engaged in the propaganda. They feel how Herculean the task is. It is easy to popularise the tenets of the Congress. The people understand them and whenever the contest is between a Congressman and another, they cast the vote in favour of the former. Irrespective of faith or creed, the ballot decides for the Congress. But it is a great thing in the prevailing state of demoralisation to whip the mass for direct action. The very numbers are an obstacle. Among them a

few can always be seduced to cross the Rubicon and come into conflict with the law. The normal history of passive resistance has so far been a continuous failure by reason of its systematic maturity into active resistance: the men have not had the stamina to resist temptation. And the Government reap the benefit of the breaches of law, forge further fetters on freedom of action and nip in the bud what is for all intents and purposes a perfectly innocuous movement. Every passive resister feels that under the conditions of the country it is bound to lead to violence till at all events the moral consciousness of the people is so roused as to compel their acting in unison. The Government at all events do not care to make a bid for popular support; rather they supply by their very blunders the necessary momentum for concerted action. They believe in the big bludgeon and hope to thrash all opposition with it.

The question then for British democracy to decide is, whether India should for ever continue to play the persistent Banquo in the festive board of the Empire, or be won over to its side as an honoured partner in the Commonwealth of Nations. When Providence handed over the destinies of this great country into the hands of the British race, it seems to have said, "Behold here is a blessing and a curse!" It is

according to their wisdom and foresight to make it a blessing or by their blindness and folly to turn it into a curse. There is no doubt as to which way the path of wisdom lies and there is also equally no doubt as to which path is being pursued. No other people on earth are more easily satisfied and to none else is the homely proverb more truly applicable that kind words are more than coronets. It requires no effort to penetrate behind their mystic exterior and know the promptings of their inner mind. The sun of oriental diplomacy had set before the rise of the occidental variety. Despite manifestations of an alarmist nature, the better mind of India is sincerely anxious to work out her salvation in company with Britain and as a member of the hegemony of nations that compose the Empire. The declaration of Pandit Motilal Nehru, the accredited leader of the Swaraj party in the Legislative Assembly, that he is content with the recognition of our rights to a Dominion Status is not a mere gesture to placate moderate opinion ; but is the avowed faith of all political factions. The resolution of the Congress at Madras in favour of independence is admittedly a reaction against the declamation of an angry boy from the stage, who took offence at the presumptuous claim of Indians to sit along on terms of equality with

the Simon crew ; and yet its severest condemnation came from Mr. Gandhi who stigmatised it as school-boyish. The fact is there is no meaning in people talking of the political goal. The late Mr. Gokhale used to say that he knew no limit to the ambitions of his countrymen. What the future of the world or even of India may be a hundred or two hundred years hence may be good for speculation, but not for the practical purposes of the morrow. The resolution of the Congress ought not therefore to disturb the equanimity of the practical politician. The next step is what immediately matters. Call it responsible government or dominion status, what are the practical reforms that should be effected if the country is to grow into the full stature of its economic, intellectual and political manhood, a support and not a drag on the Empire ?

The problem bristles with difficulties and a lasting solution would seem to be incapable of achievement if the British people do not give up the false and eccentric idea that India is only a beggar nation and as such must be content to receive what is doled out to her. That she is reduced to a land of beggars, is one of the claims of imperial statesmen and with that credential they must rest content. Under that epitaph they must lie. Beyond that it would

be the height of folly, if not the veriest irony, to proceed. The problem is not one which affects India alone or even the statesmen who are at present at the helm of her affairs, but the future well-being of Great Britain and the Empire. A peaceful and contented people working their own destinies according to the light in them, will be a tower of strength to the dominant partner; but a restive, discontented people, offering passive resistance at every turn, is the heaviest millstone round its neck. A decade and a half ago when the Hohenzollerns precipitated a world-war, they were among the first to render assistance; their soldiers were among the foremost to be marched to the various theatres of war; a million men, combatants and non-combatants, were enlisted in the army. If with the utmost possible effort a hundred thousand men are raised now from the Himalayas to the Cape Comorin, and from the Hindukush to the Brahmaputra, in a similar contingency, it should be deemed the result of unexpected luck. There has been a complete change in the mentality of the people incensed by the blatant jingoism of the Conservative party and the evident insincerities, as they believe it, of the Liberal and Labour parties. The Englishman's word was once his bond; ~~but~~ ^{now} ~~old~~ ^{new} ~~believe~~ ^{not} ~~states-~~

man who has not the immediate power to translate his words into deeds. Even the latest declaration of Mr. Ramsay MacDonald that the Labour Party is committed to the grant of Dominion Status when it comes into power, has fallen flat as an electioneering bait. To those who have been habituated to regard the Anglo-Saxon race as representing the high water mark of whatever is great and noble and steady in western character, nothing is more poignant in the grief than that there should be such a fall in the moral barometer in the short space of time that has elapsed after the peace. The partnership between England and India was once thought to be not a mere marriage *à la convenience*; rather a binding sacrament. But in these profligate days of trial marriages, the conception of a lasting bond on terms of mutual respect and honour, is dull, prosaic, unexciting and old-fashioned.

For Great Britain it is more important that she should seek to restore her moral kingdom so terribly lost by the misdeeds of her sons, than trucking with political concessions or enslaving by economic bonds. What if you win the world and lose your soul? But there is material advantage besides. Three hundred millions of enlightened, educated and wealthy customers can offer a market better, more organised and

sustaining than the depopulated wastes of Africa, Australia or Canada. It is the low economic condition and the very poor purchasing power of the average Indian that make him consume the minimum of British goods ; and if of late there has been a transfer of custom to Japan or the United States or to things " made in Germany," it is a due to the very same cause. The more durable and costly goods of Great Britain are beyond his means. The policy of killing the goose that laid the golden eggs has always been pursued by men blinded by avarice ; and yet it is not too late to retrieve the blunder. Great Britain has done many things to India, and they are gratefully remembered. She has put her on her legs, but denied her the right to make full use of the gift. She has compelled her to walk on the stilts. It is fondly believed that a market may be retained by the enforcement of political serfdom ; but it can hardly be. When one thinks of the vast progress that science has made in the satisfaction of human desires, and the utter incapacity of millions even to imagine the extent of such progress, one must be struck at the hiatus that requires urgent closing. The moral reclamation of Great Britain in the eyes of India and of India's material advancement are two of the outstanding difficulties of the age, which an informed democracy

ought to be able to solve in no time. The formidable menace to a peaceful solution is the insolence of the most hide-bound bureaucracy of our times. Even ignorance and prejudice can be dissipated by letting in a few rays of knowledge and self-interest. But there is no getting over sheer obstinacy.

For all that we have unbounded faith in British character, in the Englishman's passion for orderly liberty, his innate sense of justice, and sound, unerring judgment. Enjoying as he does the full measure of responsible government, he is not known to be averse to let others share in the glory. Even his implacable foes have been conferred the boon. The erstwhile rebels of South Africa are claimed to-day the bulwark of the Empire. Within the memory of living generation the Boer and the British were clasped in a life and death struggle and have also been seen to fight on the same side and uphold the honour of the flag. It is the generous gift of self-government that effected the transformation. A more ancient enemy on the other side of the Irish sea got his freedom a little later and the age long feud between Britannia and Hibernia is closed for ever. An enduring friendship has sealed what till now were open pages in the history of internecine war. What has been achieved in South

Africa and in Ireland must be capable of achievement in India. Will England refuse ? Will she put India in the very chains she spent enormous treasures in men and money to break elsewhere ? Faith and hope refuse to believe in such possibilities. It would be a bad lesson to inculcate that the path to freedom lies through rebellion and India is not likely to be inveigled into the trap. She hopes to win her freedom by the gentle methods of persuasion, by cogent appeals to enlightened self-interest, by the application of a little moral pressure to the better mind. And it is for England to make the response. England and India, united and free, will be the safest pledge for the future peace of the world ; but divided and suspicious may hasten a revolution which may burn out both. It is in the sincerest conviction that a peaceful solution is earnestly sought and likely to be grasped that this book is written ; and progress on the lines indicated above will not only have restored peace within and respect without, but will have definitely started the country on the certain road towards Swaraj.

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